

CITY OF PROVIDENCE  
RHODE ISLAND



CITY COUNCIL

JOURNAL OF PROCEEDINGS

No. 18 City Council Regular Meeting, Thursday, August 3, 1995, 7:30 o'clock P.M. (E.D.T.)

PRESIDING

COUNCIL PRESIDENT PRO TEMPORE

EVELYN V. FARGNOLI

CITY COUNCIL

SEP 7 1995

APPROVED:

*Michael R. Clement*  
CLERK

ROLL CALL

Present: Council President Pro Tempore Fargnoli, Councilmen Allen, Clarkin, DeLuca, Councilwoman DiRuzzo, Councilmen Glavin, Igliazzi, Jackson, Lombardi, Mancini, Councilwoman Nolan, Councilman Rollins and Councilwomen Williams and Young—14.

Absent: Council President Petrosinelli—1.

## INVOCATION

The Invocation is given by COUNCILWOMAN RITA M. WILLIAMS.

## PLEDGE OF ALLEGIANCE TO THE FLAG OF THE UNITED STATES OF AMERICA

COUNCILWOMAN RITA M. WILLIAMS leads the members of the City Council and the Assemblage in the Pledge of Allegiance to the Flag of the United States of America.

## APPOINTMENTS BY HIS HONOR THE MAYOR

Communication dated July 19, 1995, Informing the Honorable City Council that pursuant to Sections 302(b) and 1013 of the Providence Home Rule Charter of 1980, he is this day appointing Mr. Stephen Durkee of 22 Harrison Street, Providence, Rhode Island, as a Member of the City Plan Commission for a term to expire in January, 2000 and respectfully submits the same for approval. Mr. Durkee will be replacing Ms. Jane B. Sherman, who has resigned.

**COUNCIL PRESIDENT PRO TEMPORE FARGNOLI Refers the Communication to the Committee on Finance.**

The motion to Refer, is Unanimously Sustained.

Communication dated July 19, 1995, Informing the Honorable City Council that pursuant to Sections 302(b) and 1013 of the Providence Home Rule Charter of 1980, he is this day appointing Mr. Miguel Luna of 146 Warrington Street, Providence, Rhode Island, as a Member of the City Plan Commission for a term to expire in January, 2000 and respectfully submits the same for approval. Mr. Luna will be replacing Ms. Susan Esposito who has resigned.

**COUNCIL PRESIDENT PRO TEMPORE FARGNOLI Refers the Communication to the Committee on Finance.**

The motion to Refer, is Unanimously Sustained.

## NOMINATION OF CERTAIN CITY OFFICER

### JUDGE OF PROBATE COURT

COUNCIL PRESIDENT PRO TEMPORE FARGNOLI informs the Members of the City Council that Nominations are in order for the Office of the Judge of Probate Court for the remainder of the unexpired term of Six (6) Years ending on the First Thursday in November, 1995, due to the resignation of Judge Anthony B. Sciarretta.

COUNCILMAN IGLIOZZI places in nomination the name of JOHN E. MARTINELLI, ESQUIRE.

This nomination is seconded by COUNCILMAN LOMBARDI.

COUNCIL PRESIDENT PRO TEMPORE FARGNOLI calls for further nominations and there are None.

There being no further Nominations, on motion of COUNCILMAN IGLIOZZI, seconded by COUNCILMAN LOMBARDI, it is Voted that Nominations be closed.

The Nomination of JOHN E. MARTINELLI, ESQUIRE, the only nominee as Judge of the Probate Court of the City of Providence is thereupon Laid on the City Clerk's Desk for the prescribed period of time in accordance with Law.

## ORDINANCES SECOND READING

The following Ordinance was in City Council July 6, 1995, Read and Passed the First Time, and is Returned for Passage the Second Time:

An Ordinance Amending Sections 16-51 et. seq. of Article II entitled: "Discrimination".

*Be it ordained by the City of Providence:*

### ARTICLE II DISCRIMINATION

*Section 16-51. Findings of the Council.*

The practice or policy of discrimination against individuals because of race, color, sex, sexual orientation, religion, marital status, handicap, disability, age or country of ancestral origin, is

a matter of grave public concern. Such discrimination foments domestic strife and unrest, threatens the rights and privileges of our people and undermines the foundations of a free democratic state. The denial of equal opportunities because of such discrimination deprives large segments of the population of the City of Providence of the ability to maintain decent standards of living and intensifies group conflicts, thereby resulting in grave injury to the public safety, health and welfare. (Ord. 1979, ch. 79-1, §1, 1-22-79; Ord. 1985, ch. 85-77, §1, 9-5-85).

*Section 16-52. Public Policy.*

It is hereby declared to be the public policy of the City of Providence to foster the equal opportunities of all individuals in the city in accordance with their fullest capacities and abilities, regardless of their race or color, sex, **sexual orientation**, religion, marital status, **handicap**, **disability**, age or country of ancestral origin, and to safeguard their right to be free from such discrimination in housing, education, employment, credit and public accommodation. (Ord. 1979, ch. 79-1, §1, 1-22-79; Ord. 1985, ch. 85-77, §2, 9-5-85)

*Section 16-53. Exercise of police power.*

This article shall be deemed an exercise of the police power of the said city for the protection of public welfare, prosperity, health and peace of its people. (Ord. 1979, ch. 79-1, §1, 1-22-79; Ord. 1985, ch. 85-77, §3, 9-5-85).

*Section 16-54. Definition of term.*

(a) *Bona fide qualifications* refers to a valid consideration of race and color, sex, **sexual orientation**, religion, marital status, **handicap**, **disability**, age or country of ancestral origin which has been certified as such by the commission or by the Rhode Island Commission on Human Rights.

(b) *Charge* is that which is brought by a complainant alleging an unlawful practice or that which is filed by the commission following an investigation.

(c) *Commission* means the Providence Human Relations Commission, its agents and employees.

(d) *Complaint* is that which is issued by the commission on its own behalf or in the behalf of the complainant and subsequent to a probable cause determination.

(e) *Discrimination* includes any policy or practice which by design or effect segregate,

separates or has a disproportionate impact according to race or color, sex, **sexual orientation**, religion, marital status, **handicap**, **disability**, age or country of ancestral origin or because of the race or color, sex, **sexual orientation**, religion, marital status, **handicap**, **disability**, age or country of ancestral origin of any person with whom they are or may wish to be associated, and which is not required by business necessity.

(f) *Employment agency* includes any person undertaking with or without compensation to procure opportunities to work, or to procure, recruit, refer, or place employees.

(g) *Employee* does not include any person employed by his or her parents, spouse or child.

(h) *Employer* includes the city and all its departments and authorities, and all persons employing seven (7) or more individuals within the City of Providence, or any person acting as the agent of an employer either directly or indirectly. The term does not apply to a religious corporation, religious association, religious educational institution, or religious society with respect to the employment of individuals of its religion to perform work connected with the carrying on of its religious activities.

(i) *Educational facilities* means any public or private institution of learning.

(j) *Housing accommodation* includes any building or structure or portion thereof, or any parcel of land, developed or undeveloped, which is occupied, or intended, designed, or arranged to be occupied, or to be developed for occupancy, as the home, residence, or commercial business of one or more persons, but excludes any dwelling unit which, under the provisions of state fair housing laws, are exempt by virtue of their location in an owner-occupied building.

(k) *Labor organization* includes any organization which exists for the purpose, in whole or in part, of collective bargaining or of dealing with employers concerning grievances, terms or

conditions of employment, or of other mutual aid or protection in relation to employment.

(l) *Public accommodation* refers to any public resort, accommodation, assemblage, amusement, business, or establishment that provides a service or function, personal, or otherwise licensed, or unlicensed, including but not limited to inns, taverns, bars, roadhouses, hotels, motels, trailer parks, camp sites, restaurants, diners, or any place where food or beverage is sold, retail stores and establishments, dispensaries, clinics, hospitals, rest homes, nursing homes, rest rooms, bathhouses, barber shops, beauty parlors, trade schools or vocational establishments, theaters, motion picture houses, music halls, race courses, skating rinks, amusement and recreation parks, fairs, bowling alleys, golf courses, gymnasiums, shooting galleries, billiard and pool parlors, swimming pools, athletic or recreational facilities, seashore accommodations, public libraries, garages, all public conveyances operated on land, water, in the air or underground, as well as the stations and terminals thereof, public halls and rooms and public stairs and elevators of buildings or other public accommodations, public housing projects, clubs, societies, fraternities, sororities, associations, or other organizations that are public or quasi-public, banks, finance companies, insurance companies, building and construction companies, other businesses; traffic and other courts, and licensing and regulating bodies and all public policies, programs, and activities. Nothing herein contained shall be construed to include, or apply to, any place of accommodation which is by its nature distinctly private; provided, that where public use is permitted, that use shall be covered by this article.

(m) **Handicap** means any condition or characteristic that renders a person a handicapped person, as defined in Titled 46, Subtitle A, Section 84.3 (j) of the Code of Federal Regulations (42 FR 22678, May 4, 1977). **Disability** means any condition or characteristic whether physical or mental which renders a person disabled as defined by 42 USC 1202(2), commonly referred to as the "Americans With Disabilities Act of 1990", as amended.

(n) *Sexual discrimination* shall be deemed to include situations where an individual, acting independently, is discriminated against because of gender.

(o) *Discounts* Any reduction of the normal charge for products or services. Includes those offered on a free basis. (Ord. 1979, ch. 79-1, §4, 1-22-79; Ord. 1985, ch. 85-77, §4, 9-5-85).

#### *Section 16-55. Unlawful housing practices.*

It shall be an unlawfill housing practice:

(a) For any owner, lessee, sub-lessee, assignee, managing agent, real estate agent, or other person having the right to sell, rent, lease, or manage a housing accommodation or an agent of any of those:

(1) To discriminate or directly or indirectly make or cause to be made any written or oral inquiry concerning race or color, sex, **sexual orientation**, religion, marital status, **handicap**, **disability**, age, or country of ancestral origin of any prospective purchaser, occupant, or tenant of such housing accommodation;

(2) To discriminate or directly or indirectly to refuse to sell, rent, lease, let or otherwise deny to or withhold from any individual, such housing accommodation because of the race or color, sex, **sexual orientation**, religion, marital status, **handicap**, **disability**, age, or country of ancestral origin of such individual;

(3) To discriminate or directly or indirectly print or publish or cause to be printed or published, circulated, broadcasted, issued, used, displayed, posted, or mailed any written, printed or painted or oral communication, notice or advertisement relating to the sale, rental, lease or let of such housing accommodation which indicates any preference, denial, limitation, specification, qualification, or discrimination, based upon race or color, sex, **sexual orientation**, religion, marital status, **handicap**, **disability**, age or country of ancestral origin;

(4) To directly or indirectly discriminate against any person because of his or her race or color, sex, **sexual orientation**, religion, marital status, **handicap**, **disability**, age, or country of ancestral origin in the terms, conditions, or privileges of the sale, rental, lease, or let of any such housing accommodation or in the furnishing of facilities or services in connection therewith;

(b) For any person to whom application is made for a loan or other form of financial assistance for the acquisition, construction, rehabilitation, repair or maintenance of any housing accommodation, whether secured or unsecured;

(1) To discriminate or to directly or indirectly make or cause to be made any written or oral inquiry concerning the race or color, sex, **sexual orientation**, religion, marital status, **handicap**, **disability**, age, or country of ancestral origin of any individual seeking such financial assistance, or of existing or prospective occupants or tenants of such housing accommodation, nor shall any such person to whom such application is made, directly or indirectly discriminate in the terms, conditions or privileges relating to the obtaining or use of any such financial assistance against any applicant because of race or color, sex, **sexual orientation**, religion, marital status, **handicap**, **disability**, age, or country of ancestral origin of such applicant, or of the existing or prospective occupants or tenants thereof;

(2) To discriminate or to directly or indirectly deny or limit such application for financial assistance on the basis of an appraiser's, whether independent or not, evaluation of the property or neighborhood under consideration, when such evaluation is based on discriminatory criteria;

(c) For any person, agent, firm, corporation or association, whether or not acting for monetary gain, to directly or indirectly induce, attempt to induce, prevent or attempt to prevent the sale, purchase, rental, or letting of any housing accommodation by:

(1) Implicit or explicit representations regarding the existing or potential proximity of real property owned, used, or occupied by persons of any particular race or color, sex, **sexual orientation**, religion, marital status, **handicap**, **disability**, age, or country of ancestral origin;

(2) Implicit or explicit representations regarding the effects or consequences of any such existing or potential proximity, including but not limited to the lowering of property values, an increase in criminal or antisocial behavior, or a decline in the quality of schools or other facilities;

(3) Implicit or explicit false representations regarding the availability of suitable housing within a particular neighborhood or area, or failure to disclose or offer to show all properties listed or held for sale, rent, lease, or let within a requested price range, regardless of location, so as to promote the continuance or maintenance of segregated housing or so to retard, obstruct, or discourage integrated housing on or in any street, block, or neighborhood.

(d) Except where based on a valid affirmative action program or record keeping or reporting requirements:

(1) For any person, agent, manager, owner, or developer of any apartment or housing unit, complex, or development, whether commercial or residential to directly or indirectly make or keep a record of any applicant's, prospective tenant's, or tenant's race or color, sex, **sexual orientation**, religion, marital status, **handicap**, **disability**, age, or country of ancestral origin;

(2) To use any form of housing or loan application which contain questions or entries directly or indirectly pertaining to race or color, sex, **sexual orientation**, religion, marital status, **handicap**, **disability**, age, or country of ancestral origin;

(3) Establish, announce, or follow a pattern, practice, or policy of denying, excluding or

limiting by any means whatsoever housing accommodations to any group because of the race or color, sex, **sexual orientation**, religion, marital status, ~~handicap~~, **disability**, age, country of ancestral origin of such group;

(e) For any person to discriminate in any manner against any individual, or deny that individual because he or she has opposed any practice forbidden by this article, or because he or she has made a charge, testified, or assisted in any manner in any investigation, proceeding, or hearing under this article;

(f) For any person, whether or not acting for monetary gain, to aid, abet, incite, compel or coerce the doing of any act declared by this section to be unlawful housing practice, or to obstruct or prevent any person from complying with the provisions of this article or any regulations or order issued thereunder, or to attempt directly or indirectly to commit any act declared by this section to be an unlawful housing practice;

(g) Nothing contained in this section shall be construed to prevent the operation or establishment of housing facilities designed for the exclusive use of the aged or elderly and/or ~~handicapped~~, **disabled**, nor to prohibit the establishment of programs assigned to meet the needs of circumstances of ~~handicapped disabled~~ persons. (Ord. 1979, ch. 79-1, §5, 1-22-79; Ord. 1985, ch. 85-77 §5, 9-5-85).

*Section 16-56. Unlawful education practices.*

It shall be an unlawful education practice:

(a) For any school, educational institution or facility:

(1) To discriminate or to directly or indirectly fail or refuse to admit or grant entrance, or provide, furnish, or make available, equal educational services, materials, or opportunities to any person because of race or color, sex, **sexual orientation**, religion, marital status, ~~handicap~~, **disability**, age, or country of ancestral origin;

(2) To discriminate or to directly or indirectly print or publish or cause to be printed or published, circulated, broadcast, issued, used, displayed, posted, or mailed any written, printed or painted or oral communication, notice or advertisement relating to education indicating any preference, denial, limitation, specification, qualification, practice, or discrimination based on race or color, sex, **sexual orientation**, religion, marital status, ~~handicap~~, **disability**, age, or country of ancestral origin;

(3) To establish, announce, or follow, a pattern, practice, or policy of denying, excluding or limiting educational services, materials, or opportunities to any group because of the race or color, sex, **sexual orientation**, religion, marital status, ~~handicap~~, **disability**, age, or country of ancestral origin of such group;

(b) For any person to discriminate in any manner against any individual or deny that individual because he or she has opposed any practice forbidden by this article or because he or she has made a charge, testified, or assisted in any manner in any investigation, proceeding, or hearing under this article;

(c) For any person, whether or not acting for monetary gain, to aid, abet, incite, compel or coerce the doing of any act declared by this section to be an unlawful education practice, or to obstruct or prevent any person from complying with the provision of this article, or any regulation or order issued thereunder, or to attempt directly or indirectly to commit any act declared by this section to be an unlawful education practice. (Ord. 1979, ch. 79-1, §6, 1-22-79; Ord. 1985, ch. 85-77, §6, 9-5-85).

*Section 16-57. Unlawful employment practices.*

It shall be an unlawful employment practice:

(a) For any employer:

(1) To fail or ~~reuse~~ refuse, to hire any

applicant for employment or otherwise discriminate because of race or color, sex, **sexual orientation**, religion, marital status, **handicap**, **disability**, age, or country of ancestral origin; or

(2) Because of such reasons, to discharge an employee or discriminate against him or her with respect to hire, tenure, compensation, promotion, terms, conditions, or privileges of employment, or any other matter directly or indirectly related to employment; or

(3) In the recruiting of individuals for employment or in hiring them, to utilize any employment agency, placement service, training school or center, labor organization, or any other employee referring source which such employer knows, or has reasonable cause to know, discriminates against individuals because of their race or color, sex, **sexual orientation**, religion, marital status, **handicap**, **disability**, age, or country of ancestral origin;

(4) To treat disabilities caused or contributed to by pregnancy, miscarriage, childbirth or recovery therefrom, differently than other temporary disabilities under any health or temporary disability insurance, or sick leave plan available in connection with employment. Pay, tenure, benefits, seniority, and re-instatement shall be afforded in the same manner for medically necessary pregnancy-related absences as they are for other medically necessary absences.

(b) For any employment agency:

(1) To discriminate or to fail or refuse to classify properly or refer for employment or otherwise discriminate against any individual because of his or her race or color, sex, **sexual orientation**, religion, marital status, **handicap**, **disability**, age, or country of ancestral origin; or

(2) For any employment agency, placement service, training school or center, labor organization, or any other employee referring source to discriminate or to comply with an employer's request for the referral of job applicants if such

request indicates either directly or indirectly that such employer will not afford full and equal employment opportunities to individuals regardless of their race or color, sex, **sexual orientation**, religion, marital status, **handicap**, **disability**, age, or country of ancestral origin;

(c) For any labor organization:

(1) To discriminate against or deny full and equal membership rights to any applicant for membership because of his or her race or color, sex, **sexual orientation**, religion, marital status, **handicap**, **disability**, age, or country of ancestral origin; or

(2) Because of such reasons, to deny a member full and equal membership rights, expel him or her from membership, or otherwise discriminate in any manner with respect to hire, tenure, compensation, terms, conditions, or privileges of employment, or any other matter directly or indirectly related to membership or employment, whether or not authorized or required by the constitution or bylaws of such labor organization, or by a collective labor agreement or other contract; or

(3) To fail or refuse to classify properly or refer for employment, or otherwise to discriminate against any member because of his or her race or color, sex, **sexual orientation**, religion, marital status, **handicap**, **disability**, age, or country of ancestral origin;

(4) To treat disabilities caused or contributed to by pregnancy, miscarriage, childbirth or recovery therefrom differently than any other temporary disabilities under any health or temporary disability insurance or sick leave plan available in connection with employment. Pay, tenure, benefits, seniority, and re-instatement shall be afforded in the same manner for medically necessary pregnancy-related absences as they are for other medically necessary absences.

(d) Except where based on a bona fide occu-

pational qualification which has been certified by the commission, for any person, employer, employment agency, labor organization, placement service, training school or center, or any other employee referring source prior to employment or admission to membership of any individual, to:

(1) To discriminate or elicit or attempt to elicit any information directly or indirectly pertaining to the individual's race or color, sex, **sexual orientation**, religion, marital status, **handicap**, **disability**, age, or country of ancestral origin;

(2) Except where based on a valid affirmative action program or record keeping or reporting requirements to make or keep a record of the individual's race or color, sex, **sexual orientation**, religion, marital status, **handicap**, **disability**, age, or country of ancestral origin;

(3) Use any form of application or membership blank which contains questions or entries directly or indirectly pertaining to race or color, sex, **sexual orientation**, religion, marital status, **handicap**, **disability**, age, or country of ancestral origin;

(4) Conduct any interview in person or otherwise where information is elicited pertaining to race or color, sex, **sexual orientation**, religion, marital status, **handicap**, **disability**, age, or country of ancestral origin;

(5) To discriminate or to directly or indirectly print or publish or cause to be printed or published, circulated, broadcasted, issued, used, displayed, posted or mailed any written, printed, painted or oral communication, notice, or advertisement relating to employment or membership indicating any preference, denial, limitation, specification, qualification, or discrimination based upon race or color, sex, **sexual orientation**, religion, marital status, **handicap**, **disability**, age, or country of ancestral origin;

(6) Establish, announce, or follow a pattern, practice, or policy of denying, under utilizing or

limiting, through a quota system or otherwise, employment or membership opportunities of any group because of the race or color, sex, **sexual orientation**, religion, marital status, **handicap**, **disability**, age, or country of ancestral origin of such group;

(e) For any person, employer, employment agency, labor organization, placement service, training school or center, or any other employee referring source to discriminate in any manner against any individual or deny that individual because he or she has opposed any practice forbidden by this article, or because her or she has made a charge, testified, or assisted in any manner in an investigation, proceeding, or hearing under this article;

(f) For any person, whether or not an employer, employment agency, labor organization, placement, service training school or center, or employee, to aid, abet, incite, compel, or coerce the doing of any act declared by this section to be an unlawful employment practice, or to obstruct or prevent any person from complying with the provisions of this article or any regulation or order issued hereunder, or to attempt directly or indirectly to commit any act declared by this section to be an unlawful employment practice. (Ord. 1979, ch. 79-1, §7, 1-22-79; Ord. 1985, ch. 85-77, §7, 9-5-85).

*Section 16-58. Unlawful Unlawful credit practices.*

It shall be unlawful credit or loan practice:

(a) Any financial organization governed by the provisions of Title 19 of the General Laws, entitled "Financial Institutions", or any other credit granting, reporting, appraising, or approving institution, agency, business or association:

(1) To discriminate in the granting, reporting, approval, or extension of any form of loan or credit, or of the privileges or capacity to obtain any form of loan or credit, on the basis of the applicant's race or color, sex, **sexual orienta-**

tion, religion, marital status, ~~handicap~~, ~~disability~~, age, or country of ancestral origin;

(2) To directly or indirectly print or publish or cause to be printed or published, circulated, broadcasted, issued, used, displayed, posted, or mailed any written, printed or painted oral communication, notice, or advertising relating to loans or the extension of credit indicating any preference, denial, limitation, specification, qualification, or discrimination based upon race or color, sex, **sexual orientation**, religion, marital status, ~~handicap~~, ~~disability~~, age, or country of ancestral origin;

(3) To discriminate or to use any form of loan or credit application which contains questions or entries directly or indirectly pertaining to race or color, sex, **sexual orientation**, religion, marital status, ~~handicap~~, ~~disability~~, age, or country of ancestral origin;

(4) To establish, announce or follow a pattern, practice, or policy of denying, excluding, or limiting the extension of loans or credit to any group because of the race or color, sex, **sexual orientation**, religion, marital status, ~~handicap~~, ~~disability~~, age, or country of ancestral origin of such group;

(b) For any person to discriminate in any manner against any individual or deny that individual because he or she has opposed any practice forbidden by this article, or because he or she has made a charge, testified, or assisted in any manner in any investigation, proceeding or hearing under this article;

(c) For any person, whether or not acting for monetary gain, to aid, abet, incite, compel or coerce the doing of any act declared by this section to be an unlawful credit or loan practice, or to obstruct or prevent any person from complying with the provisions of this article, or any regulation or order issued thereunder, or to attempt directly or indirectly to commit any act declared by this section to be an unlawful credit or loan practice. (Ord. 1979, ch. 79-1, §8, 1-22-79; Ord. 1985, ch. 85-77, §8, 9-5-85).

*Section 16-59. Unlawful public accommodation practice.*

It shall be an unlawful public accommodation practice:

(a) For any person, owner, lessee, proprietor, manager, director, superintendent, agent, employee, committee, officer, or board of any place of public accommodation;

(1) To discriminate or to directly or indirectly refuse, withhold from or deny to any person on account of race or color, sex, **sexual orientation**, religion, marital status, ~~handicap~~, ~~disability~~, age, or country of ancestral origin any of the accommodations, advantages, facilities, or privileges thereof;

(2) To discriminate or to directly or indirectly print or publish or cause to be printed or published, circulated, broadcasted, issued, used, displayed, posted, or mailed any written, printed or painted or oral communication, notice, or advertisement relating to public accommodations indicating any preference, denial, limitation, specification, qualification, or discrimination based upon race or color, sex, **sexual orientation**, religion, marital status, ~~handicap~~, ~~disability~~, age, or country of ancestral origin;

(3) To discriminate or to directly or indirectly elicit or attempt to elicit any information regarding an individual's race or color, sex, **sexual orientation**, religion, marital status, ~~handicap~~, ~~disability~~, age, or country of ancestral origin; or, to use any form of application which contains questions or entries directly or indirectly pertaining to such information;

(4) To establish, announce, or follow a pattern, practice, or policy of denying, excluding, or limiting services or membership to any group because the race or color, sex, **sexual orientation**, religion, marital status, ~~handicap~~, ~~disability~~, age, or country of ancestral origin of such group;

(b) For any person to discriminate in any

manner against any individual, or deny that individual because he or she has opposed any practice forbidden by this article or because he or she has made a charge, testified, or assisted in any manner in any investigation, proceeding, or hearing under this article;

(c) For any person, whether or not acting for monetary gain, to aid, abet, incite, compel, or coerce the doing of any act declared by this section to be unlawful accommodation practices, or to obstruct or prevent any person from complying with the provisions of this article or any regulation or order issued thereunder, or to attempt directly or indirectly to commit any act declared by this section to be an unlawful public accommodation practice. (Ord. 1979, ch. 79-1, §9, 1-22-79; Ord. 1985, ch. 85-77, §9, 9-5-85).

*Section 16-60. Exercise of privilege; exemption.*

(a) Nothing in this article contained shall be construed in any manner to prohibit or limit the exercise of the privilege of every person to establish standards and preferences and set terms, conditions, limitations, or specifications in any manner herein discussed which are not based on the race or color, sex, **sexual orientation**, religion, marital status, **handicap**, **disability**, age, or country of ancestral origin of the individual or the race or color, sex, **sexual orientation**, religion, marital status, **handicap**, **disability**, age, or country of ancestral origin of any person with whom the individual is or may wish to be associated; **nor shall this article be construed to apply to any religious organization nor to render any otherwise unlawful conduct lawful, nor to create or to grant classification, status, or class protections to any person or persons not otherwise granted such classification, status or class protections.**

(b) Notwithstanding anything herein contained the following practices shall not be violations of this article:

(1) For a religious organization or institution to restrict any of its facilities of housing or accommodation which are operated as a direct part of religious activities to persons of the denomination involved, or to restrict employment opportunities for officers, religious instructors and clergy to persons of that denomination.

(2) For the owner of a housing facility devoted entirely to the housing of individuals of one sex, to restrict occupancy and use on the basis of sex.

(3) To refuse employment to any person under eighteen (18) years of age, or refuse admission to or provision of the services of a public accommodation or financial institution to persons under eighteen (18) years of age, or any other age established by law.

(4) To provide discounts on products or services to minors and the aged, elderly and/or **handicapped disabled**.

(5) To restrict use of lavatories and locker room facilities on the basis of sex.

(6) For a religious or denominational educational institution to select its pupils exclusively or primarily from members of such religion or denomination, or to give preference to such selection so as to promote the religious principle for which it was established.

(7) For a public or private preschool, elementary school or secondary school (except where such schools are vocational) to discriminate on the basis of sex in relation to admissions only. (Ord. 1979, ch. 79-1, §10, 1-22-79; Ord. 1985, ch. 85-77, §10, 9-5-85).

*Section 16-61. Time limit for filing charges.*

Any charge under this article must be filed within one hundred eighty (180) days after the alleged act of discrimination. (Ord. 1979, ch. 79-1, §11, 1-22-79; Ord. 1985, ch. 85-77, §11, 9-5-85).

*Section 16-62. Commission established.*

There is hereby established a Providence Human Relations Commission, which shall consist of thirteen (13) members appointed by the mayor, with the approval of the city council, to serve without compensation, except for reasonable expenses incurred on commission business. Those incumbent members of the human relations commission on the effective date of this article [January 22, 1979] shall continue to serve throughout the terms to which they have previously been appointed. Thereafter, all appointments to the commission shall be for a term of three (3) years. In the event of the death or resignation of any member, his successor shall be appointed to serve for the unexpired period of the term for which such member has been appointed. (Ord. 1979, ch. 79-1, §12, 1-22-79; Ord. 1985, ch. 85-77, §12, 9-5-85).

*Section 16-63. Function and duties of commission.*

(a) The commission shall act in a policy and advisory capacity, and its functions and duties shall be to further amicable relations among various segments of the population which together comprise the City of Providence; to help make it possible for each citizen, regardless of race or color, sex, sexual orientation, religion, marital status, handicap, disability, age, or country of ancestral origin, to develop talents and abilities without limitation, to aid in permitting the community to benefit from the fullest realization of its human resources, and to preserve and further the good name of Providence and its people for tolerance and fair play, and promote better relations among all people.

(b) In order to accomplish the objectives herein set out, the commission shall advise the mayor, city council and other offices of the city on problems affecting human and inter-group relations; make studies, surveys and investigations to provide accurate information and data for orderly and constructive community development, and to recommend such measures

as are deemed necessary to carry out the objectives for which the commission has been created; consult with, obtain cooperation and coordinated effort on the part of all agencies, both public and private, which function in the field of human relations, including schools, law enforcement agencies, welfare, youth, and other similar organizations; utilize the resources of individuals and groups toward the improvement of inter group relations, to combat those misconceptions and prejudices which set group against group, and to eliminate discriminatory practices and policies. (Ord. 1979, ch. 79-1, §13, 1-22-79; Ord. 1985, ch. 85-77, §13, 9-5-85).

*Section 16-64. Powers of commission.*

The commission is hereby empowered:

(a) To provide for execution within its jurisdiction of the policies embodied in this article;

(b) To safeguard all individuals within its jurisdiction from discrimination because of race or color, sex, sexual orientation, religion, marital status, handicap, disability, age, or country of ancestral origin;

(c) To receive, initiate, investigate, hear and determine charges of violations of the provisions of this article forbidding discrimination;

(d) Compel the attendance of witnesses and the production of evidence relevant to the matter in question for investigatory and determinative purposes by subpoena issued by the city council upon request in writing by said commission, and obtain enforcement of said subpoena in superior court;

(e) Issue remedial orders after notice and hearing, requiring cessation of violations;

(f) Employ an executive director, hearing examiners, clerks, agents and employees;

(g) Accept grants, gifts or bequests, public or private, to help finance its activities;

(h) Enter into deferral [referral] or other cooperative working agreements with the United States Equal Employment Opportunity Commission created by Title VII of the Federal Civil Rights Act of 1964 and with the Rhode Island Commission on Human Rights, and with any federal or state agency in order to achieve the purposes of this article;

(i) To enact by majority vote of its members such rules and regulations as it may deem necessary and in the public interest to carry out the terms and conditions set out in this article. Such rules and regulations shall be signed by the chairperson of the commission and attested to by the executive director, and a copy shall be filed with the city clerk;

(j) To elect a chairperson and other officers, and establish committees and advisory councils as it shall deem appropriate for the purposes of this article;

(k) To render each year to the mayor and city council a full written report of all its activities and of its recommendations. (Ord. 1979, ch. 79-1, §14, 1-22-79; Ord. 1985, ch. 85-77, §14, 9-5-85).

*Section 16-65. Certification of bona fide qualification.*

Upon the filing of a petition by any interested person, the commission may determine whether a bona fide qualification should be certified for any position, housing, or public accommodation, credit or loan eligibility or education practice based on race or color, sex, sexual orientation, religion, marital status, handicap, disability, age, or country of ancestral origin; (Ord. 1979, ch. 79-1, §15, 1-22-79; Ord. 1985, ch. 85-77, §15, 9-5-85).

*Section 16-66. Power to prevent unlawful practices; preference for informal methods.*

The commission is empowered and directed, as hereinafter provided, to prevent any person from engaging in unlawful practices; provided, that

before instituting a formal hearing, it shall attempt by informal methods of conference, persuasion, and conciliation, to induce voluntary compliance with this article. (Ord. 1979, ch. 79-1, §16, 1-22-79; Ord. 1985, ch. 85-77, §16, 9-5-85).

*Section 16-67. Extraordinary relief.*

The commission may, after preliminary investigation and upon determination that it is probable that an unlawful practice has been or is being engaged in, file a complaint in the superior court in Providence County seeking injunctive relief, including a temporary restraining order, against such respondent. No preliminary injunction shall be effective for more than thirty (30) days; provided, that if the respondent has sought judicial review of an order of the commission issued pursuant to this article, or if the commission has sought a decree of the court for the enforcement of such order, the preliminary injunction shall remain in full force and effect until such time as judicial review, or the commission's petition, or the decree of enforcement is finally heard and determined. The application by the commission for injunctive relief shall not prevent the commission from continuing to prosecute the proceeding before it, out of which the application arises. (Ord. 1979, ch. 79-1, §17, 1-22-79; Ord. 1985, ch. 85-77, §17, 9-5-85).

*Section 16-68. Conciliation of charges of unlawful practices.*

Upon the commission's own initiative, or whenever an aggrieved individual or an organization or group whose purposes include the combating of discrimination or racism, or of safeguarding civil liberties, or of promoting full, free, or equal opportunities, such individual, group, or organization being hereafter referred to as the complainant, makes a charge to the commission that any person, hereinafter referred to as the respondent, has engaged or is engaging in unlawful practices, the commission may initiate a preliminary investigation, and if it shall determine after such investigation that it is probable that unlawful practices have been or are

being engaged in, it shall endeavor to eliminate such unlawful practices by informal methods of conference, conciliation, and persuasion, including a conciliation agreement. The terms of such conciliation agreement shall include provisions requiring the respondent to refrain from unlawful discriminatory practices in the future, and may contain such further provisions as may be included in an award under section 16-76 or as may be agreed upon by the commission and the respondent, including a provision for the entry in superior court of a consent decree embodying the terms of the conciliation agreement. (Ord. 1979, ch. 79-1, §18, 1-22-79; Ord. 1985, ch. 85-77, §18, 9-5-85).

*Section 16-69. Complaint and notice of hearing.*

If the commission fails to effect the elimination of such unlawful practices and to obtain voluntary compliance with this article, or, if the circumstances warrant, in advance of any such preliminary investigation or endeavors, the commission shall have the power to issue and cause to be served upon any person or respondent a complaint stating the charge in that respect. The commission shall then serve upon the respondent a notice of hearing before the commission, a member thereof, or a hearing examiner at a place therein fixed, to be held not less than ten (10) days after the service of such notice. (Ord. 1979, ch. 79-1, §19, 1-22-79; Ord. 1985, ch. 85-77, §19, 9-5-85).

*Section 16-70. Amendment of complaint and answer; participation by commissioner assigned to preliminary determination.*

The commission, a member thereof, or hearing examiner conducting the hearing shall have the power reasonably and fairly to amend any written complaint at any time prior to the issuance of an order based thereon. The respondent shall have like power to amend its answer to the original or amended complaint at any time prior to the issuance of such order. The commissioner assigned to the preliminary determination of any

charge before the commission shall take no part in the final hearing, except as a witness upon competent matters, and will have no part in the determination or decision of the case after hearing. (Ord. 1979, ch. 79-1, §20, 1-22-79; Ord. 1985, ch. 85-77, §20, 9-5-85).

*Section 16-71. Answer to complaint; respondent's right at hearing.*

The respondent shall have the right to file an answer to such complaint, and shall appear at such hearing in person, or otherwise, with or without counsel, to present evidence to examine and cross-examine witnesses. (Ord. 1979, ch. 79-1, §21, 1-22-79; Ord. 1985, ch. 85-77, §21, 9-5-85).

*Section 16-72. Rules of evidence.*

In any such proceeding the commission, its members, or its agent, shall not be bound by the rules of evidence prevailing in the courts of law or equity. (Ord. 1979, ch. 79-1, §22, 1-22-79; Ord. 1985, ch. 85-77, §22, 9-5-85).

*Section 16-73. Evidence of patterns of discrimination.*

The commission may, in ascertaining the practices followed by the respondent, take into account all evidence, statistical or otherwise, which may tend to prove the existence of a pattern of discrimination; provided, that nothing in this section contained shall be construed to authorize or require any person to act in accordance with any criterion other than the individual qualifications of the applicant. (Ord. 1979, ch. 79-1, §23, 1-22-79; Ord. 1985, ch. 85-77, §23, 9-5-85).

*Section 16-74. Testimony at hearing.*

The testimony taken at the hearing shall be under oath and shall be reduced to writing and filed with the commission. Thereafter, in its discretion, the commission upon notice may take further testimony or hear argument. (Ord. 1979, ch. 79-1, §24, 1-22-79; Ord. 1985, ch. 85-77, §24, 9-5-85).

*Section 16-75. Order dismissing charge or complaint.*

(a) If a preliminary investigating commissioner shall find that no probable cause exists for crediting the charge, a notice shall be served upon the complainant dismissing the charge as to such respondent. The complainant may present additional evidence to that commissioner for reconsideration of the ruling, or may request a review by the commission of the preliminary finding. A quorum of the commission may overrule the preliminary investigating commissioner or may affirm the earlier decision and issue an order dismissing the charge. Judicial review of the commission's final order may be obtained in accordance with this article.

(b) If upon all the evidence at hearing, the commission shall find that the respondent has not engaged in unlawful practices, the commission shall issue and cause to be served on the complainant an order dismissing the said complaint as to such respondent. The complainant may present additional evidence to the commission for reconsideration of its order. Judicial review of the commission's final order may be obtained. (Ord. 1979, ch. 79-1, §25, 1-22-79; Ord. 1985, ch. 85-77, §25, 9-5-85).

*Section 16-76. Order and compliance.*

(a) If upon all the testimony taken, the commission shall determine that the respondent has engaged in or is engaging in unlawful practices, the commission shall issue and cause to be served upon such respondent an order requiring such respondent to cease and desist from such unlawful practices, and to take such further affirmative and other action as will effectuate the purposes of this article, including compliance reports; provided only, that any such order establishing remedial ratios shall be limited in time and scope to that which is required to eliminate or correct the effects of practices forbidden by this article, and that in no case shall the commission require the employment of a person or persons not otherwise qualified. The

commission in its discretion may award the complainant for:

(1) All damages sustained as a result of the unlawful act, including damages sustained through pain, humiliation and mental suffering;

(2) Payment of cost, including all reasonable attorney fees incurred at any time as a result of the unlawful act; and

(3) Punitive damages.

(b) Upon submission of reports of compliance, the commission, if satisfied therewith, may issue a finding that the respondent has ceased to engage in unlawful practices. (Ord. 1979, ch. 79-1, §26, 1-22-79; Ord. 1985, ch. 85-77, §26, 9-5-85).

*Section 16-77. Modification of findings of orders.*

Until a transcript of the record in a case shall be filed in a court, as hereinafter provided, the commission may at any time, upon reasonable notice, and in such manner as it shall deem proper, modify or set aside, in whole or in part, any of its findings or order. (Ord. 1979, ch. 79-1, §27, 1-22-79; Ord. 1985, ch. 85-77, §27, 9-5-85).

*Section 16-78. Right to judicial review or enforcement.*

(a) Any complainant, intervenor, or respondent claiming to be aggrieved by a final order of the commission, may obtain judicial review thereof and the commission may obtain an order of the court for its enforcement. Such proceeding shall be brought in the superior court of Providence County, or wherein any respondent required in the order to cease and desist from unfair practices or to remedy or take other affirmative action, resides or transacts business.

(b) Such proceeding shall be initiated by the filing of a petition in such court, together with a transcript of the record upon the hearing before the commission, and the service of a copy of the

said petition upon the commission and upon all parties who appeared before the commission. Thereupon the court shall have jurisdiction of the proceeding and of the questions determined therein, and shall have power to grant such temporary relief or restraining order as it deems just and proper, and to make and enter upon the pleadings, testimony and proceedings set forth in such transcript an order enforcing, modifying and enforcing as so modified, or setting aside in whole or in part the order of the commission.

(c) An objection that has not been under or before the commission, its members or agent, shall not be considered by the court, unless failure or neglect to urge such objection shall be excused because of extraordinary circumstances.

(d) If either party shall apply to the court for leave to adduce additional evidence, and shall show to the satisfaction of the court that such additional evidence is material and that there were reasonable grounds for the failure to adduce such evidence in the hearing before the commission, its members or agent, the court may order such additional evidence to be taken before the commission, its members or agent, and to be made a part of the transcript. (Ord. 1979, ch. 79-1, §28, 1-22-87; Ord. 1985, ch. 85-77, §28, 9-5-85).

*Section 16-79. Modification of commission's findings and orders on additional evidence.*

The commission may modify its findings as to the facts, or make new findings by reason of additional evidence so taken and filed. The commission shall file such modified or new findings and its recommendations, if any, for the modification or setting aside of its original order. (Ord. 1979, ch. 79-1, §29, 1-22-79; Ord. 1985, ch. 85-77, §29, 9-5-85).

*Section 16-80. Exclusive jurisdiction of court; appeal to supreme court.*

The jurisdiction of the court shall be exclusive and its judgment and order shall be, when necessary, subject to review by the supreme court

as provided by law, to which court appeal from such judgment and order may be made as provided by law. (Ord. 1979, ch. 79-1, §30, 1-22-79; Ord. 1985, ch. 85-77, §30, 9-5-85).

*Section 16-81. Commission's copy of testimony; hearing on transcript.*

The commission's copy of the testimony shall be available at all reasonable times to all parties without cost for examination, and for the purposes of judicial review of the order of the commission. The petition shall be heard on the transcript of the record without requirement of printing. (Ord. 1979, ch. 79-1, §31, 1-22-79; Ord. 1985, ch. 85-77, §31, 9-5-85).

*Section 16-82. Commission's attorneys.*

The commission may appear in court and be represented by the law department of the city or its own attorneys. (Ord. 1979, ch. 79-1, §32, 1-22-79; Ord. 1985, ch. 85-77, §32, 9-5-85).

*Section 16-83. Decree for enforcement of commission's order.*

If no proceeding to obtain judicial review is instituted by the complainant, intervenor or respondent within thirty (30) days from the service of an order of the commission, the commission may obtain a decree of the court for the enforcement of such order upon showing that respondent is subject to the commission's jurisdiction, and resides or transacts business within the county in which the petition for enforcement is brought. (Ord. 1979, ch. 79-1, §33, 1-22-79; Ord. 1985, ch. 85-77, §33, 9-5-85).

*Section 16-84. Posting of statutory provisions.*

Every employer, employment agency and labor union subject to this article shall post in a conspicuous place or places on his premises a notice to be prepared or approved by the commission, which shall set forth excerpts of this article and such other relevant information which the commission deems necessary to explain this

article. Any person refusing to comply with the provisions of this section shall be punished by a fine of not less than twenty-five dollars (\$25.00) nor more than fifty dollars (\$50.00). (Ord. 1979, ch. 79-1, §34, 1-22-79; Ord. 1985, ch. 85-77, §34, 9-5-85).

Section 16-85-16-90. *Reserved.*

Read and Passed the Second Time, on motion of COUNCILMAN IGLIOZZI, seconded by COUNCILMAN LOMBARDI, by the following Roll Call Vote:

Ayes: Council President Pro Tempore Fagnoli, Councilmen Allen, Clarkin, Igli-

ozzi, Jackson, Lombardi, Mancini, Councilwoman Nolan, Councilman Rollins, Williams and Young—11.

Noes: None.

Not Voting: Councilman DeLuca and Councilwoman DiRuzzo—2.

Absent: Council President Petrosinelli and Councilman Glavin—2.

The motion for Passage the Second Time, is Sustained.

The following Ordinance was in City Council July 6, 1995, Read and Passed the First Time, as Amended, Referred Back to the Committee on Finance and the Committee on Ordinances, Jointly, as Amended, and is Returned for Passage the Second Time, as Amended:

An Ordinance setting Fee Schedules for New Construction, Alteration, Demolition or Other Building Operations pursuant to Title 23, Sections 27.3-118.0.

Be it Ordained by the City of Providence:

Section 1. In accordance with Section 118.0, fees, of Title 23-27.3 of the General Laws of Rhode Island, 1956, as Amended, the Rhode Island State Building Code, the schedule of permit fees as contained hereunder shall apply to all permits issued for the alterations, maintenance, repair of any building, sign, marquee, or other structure, including the installation of plumbing, electrical, heating, ventilation, air conditioning, refrigeration, or any other mechanical equipment that comes within the purview of the Rhode Island State Building Code, and the replacement of gasoline pumps and storage tanks, except as may be otherwise specified herein.

SCHEDULE OF PERMITS FEES

Valuation	From	To	Fee
	\$1.00	500.	\$50. (minimum charge)
	500.00	1,000.	50.+\$4.00 for each hundred in excess of \$500.00
	1,000.00	25,000.	70.+16.00 for each thousand in excess of 1,000.
	25,000.00	50,000.	454.+12.00 for each thousand in excess of 25,000.
	50,000.00	no limit	754.+10.00 for each thousand in excess of 50,000.

Section 2. The City Council of the City of Providence hereby reserves the right to modify the fee schedule upon the finding of significant economic benefit to the City. Each project shall be judged on a case by case basis and the criteria shall include but not be limited, to the number

of jobs expected, the overall project of renovation cost, assessment of benefits to the surrounding neighborhood and other benefits to the City infrastructure as a whole.

**Section 3. PLAN REVIEW FEE.**

A Plan review fee shall be paid whenever any application for a building permit is made for work valued at \$50.00 or more. This fee shall be equal to one third (1/3) of the permit fee calculated in accordance with the Schedule of Permit Fees listed in Section 1 of this Ordinance, but in no case shall such fee exceed \$1,000.00. Whenever, more than one plan review is required, either because of a substantial change in the original plans submitted, a substantial delay by the owner in obtaining a building permit, or some other reason, the director may charge an additional plan review fee. At the time of the issuance of the building permit, the fee paid for plan review will be applied towards the amount of the final building permit fee. When more than one plan review fee has been paid, only one fee shall be applied towards the payment of the permit fee.

**Section 4. PERMIT FEES FOR CLEANING THE EXTERIOR OF BUILDINGS.**

The fee for the cleaning of buildings by sandblasting or by steam or acid, or any other process, shall be fifty dollars (\$50.00).

**Section 5. PERMIT FEES FOR OBSTRUCTING HIGHWAYS DURING CONSTRUCTION.**

The fee for obstructing highways during the construction of buildings or other structures shall be based upon the area of the highway obstructed and shall be at the rate of four cents (\$.04) per square foot of such area for each week or fraction thereof that the highway is obstructed. The minimum fee, however, shall be fifty dollars (\$50.00).

**Section 6. PERMIT FEES FOR DEMOLITION.**

The fee for the demolition of buildings or other structures shall be seventy-five dollars (\$75.00) for a building, two (2) stories or less, in height, and forty dollars (\$40.00) for each story over two (2) stories in height.

**Section 7. PERMIT FEES FOR MOVING BUILDINGS OR OTHER STRUCTURES.**

The fee for the moving of buildings or other structures shall be as follows:

If relocated so as not to involve the use of public highways in the process of moving	\$100.00
If relocation involves the use of public highways	\$200.00

**Section 8. FEES FOR A CERTIFICATE OF OCCUPANCY.**

Fees for a "Certificate of Occupancy" shall be as follows:

For existing buildings or other structures for which there is a change of occupancy or substantial restoration being made under active valid building permit	\$100.00
For existing buildings or other structures for which no active building permit has been issued	\$150.00

**Section 9. FEES FOR ANNUAL INSPECTIONS.**

The fees for annual inspections performed in accordance with Section 108.15 of the Rhode Island State Building Code or performed at the request of the Providence Bureau of Licenses prior to license issuances or renewals shall be fifty dollars (\$50.00) for each division making an inspection of the premises.

**Section 10. LICENSES.**

The following fees shall apply to all licenses and renewals issued by the Mechanical Equipment and Installations Division.

<i>License</i>	<i>New</i>	<i>Renewal</i>
Stationary Engineer	\$50.00	\$40.00
Boiler Operator	40.00	30.00
Apprentice Boiler Operator	20.00	20.00
Refrigeration Machine Operator	40.00	30.00

**Section 11. APPEALS TO THE PROVIDENCE BUILDING BOARD OF REVIEW.**

The fee for an application to the Providence Building Board of Review shall be two hundred fifty dollars (\$250.00).

**Section 12. WORKING WITHOUT A BUILDING PERMIT.**

A fee of one hundred fifty dollars (\$150.00), in addition to the fees outlined herein shall be charged whenever any work is performed without a building permit or whenever the terms of any permit are exceeded.

**Section 13. FEES NOT OTHERWISE CLASSIFIED.**

If a fee is not specifically provided for in this Ordinance, a reasonable fee shall be set by the Director of the Department of Inspection and Standards.

**Section 14.** This Ordinance shall take effect upon its passage and all ordinances or parts of ordinances inconsistent herewith are hereby repealed.

**Read and Passed the Second Time, as Amended, on motion of COUNCILMAN IGLIOZZI, seconded by COUNCILMAN LOMBARDI, by the following Roll Call Vote:**

**Ayes: Council President Pro Tempore Farnoli, Councilmen Allen, Clarkin, DeLuca, Councilwoman DiRuzzo, Councilmen Glavin, Iglizzo, Jackson, Lombardi, Mancini, Councilwoman Nolan, Councilman Rollins, Williams and Young—14.**

**Noes: None.**

**Absent: Council President Petrosinelli—1.**

**The motion for Passage the Second Time, as Amended, is Unanimously Sustained.**

## PRESENTATION OF ORDINANCES

**COUNCIL PRESIDENT PETROSINELLI (By Request):**

An Ordinance establishing a Tax Stabilization Plan for the Smith-Holden Company, Inc.

**COUNCIL PRESIDENT PRO TEMPORE FARNOLI Refers the Ordinance to the Committee on Finance.**

**The motion to Refer, is Unanimously Sustained.**

**COUNCILWOMAN DIRUZZO (By Request):**

An Ordinance establishing Tax Exemption for Veterans of Foreign Wars of the United States, Bagalio-Tocci Post 172, 22 Winter Street, Providence, Rhode Island.

**COUNCIL PRESIDENT PRO TEMPORE FARGNOLI Refers the Ordinance to the Committee on Finance.**

**The motion to Refer, is Unanimously Sustained.**

An Ordinance establishing Tax Exemption for Jutras Woodworking, Inc., 103 Dike Street, Providence, Rhode Island.

**COUNCIL PRESIDENT PRO TEMPORE FARGNOLI Refers the Ordinance to the Committee on Finance.**

**The motion to Refer, is Unanimously Sustained.**

## PRESENTATION OF RESOLUTIONS

### **COUNCILMAN ALLEN (By Request):**

Resolution Requesting the Traffic Engineer to Prohibit motor vehicle traffic along Whitmarsh Street, from Elmwood Avenue to Dexter Street on Saturday, July 29, 1995, between the Hours of 12:00 o'clock Noon to 8:00 o'clock P.M. to accommodate a Neighborhood Block Party.

*Resolved*, That the Traffic Engineer is requested to Prohibit motor vehicle traffic along Whitmarsh Street, from Elmwood Avenue to Dexter Street on Saturday, July 29, 1995, between the Hours of 12:00 o'clock Noon to 8:00 o'clock P.M. to accommodate a Neighborhood Block Party.

### **COUNCILMAN CLARKIN (By Request):**

Resolution Requesting the Traffic Engineer to prohibit motor vehicle traffic along Ives Street, from Trenton Street to Wickenden Street on Wednesday, July 12, 1995, between the hours

of 5:00 o'clock P.M. to 8:00 o'clock P.M. as requested by the Fox Point Boys' & Girls' Club.

*Resolved*, That the Traffic Engineer is requested to prohibit motor vehicle traffic along Ives Street, from Trenton Street to Wickenden Street on Wednesday, July 12, 1995, between the hours of 5:00 o'clock P.M. to 8:00 o'clock P.M. as requested by the Fox Point Boys' & Girls' Club.

### **COUNCILMAN CLARKIN and COUNCILMAN LOMBARDI (By Request):**

Resolution Extending the sincere best wishes of the Members of the City Council to Doctor Albert F. Tetreault upon his retirement.

*Resolved*, That the sincere best wishes of the Members of the City Council are hereby extended to Doctor Albert F. Tetreault upon his retirement.

**COUNCILMAN DeLUCA (By Request):**

Resolution Requesting the Chief Electrical Inspector to cause the installation of a New Street Light on Pole No. 212, located along Chalkstone Avenue.

*Resolved*, That the Chief Electrical Inspector is requested to cause the installation of a New Street Light on Pole No. 212, located along Chalkstone Avenue.

Resolution Requesting the Chief Electrical Inspector to cause the installation of a New Street Light on Pole No. 21, located along Academy Avenue.

*Resolved*, That the Chief Electrical Inspector is requested to cause the installation of a New Street Light on Pole No. 21, located along Academy Avenue.

Resolution Requesting the Director of Public Works to repair the pothole located in front of 35-41 Amsterdam Street.

*Resolved*, That the Director of Public Works is requested to repair the pothole located in front of 35-41 Amsterdam Street.

Resolution Requesting the Director of Public Works to clear the sidewalk located along 18-52 Imera Avenue of all brush and debris.

*Resolved*, That the Director of Public Works is requested to clear the sidewalk located along 18-52 Imera Avenue of all brush and debris.

**COUNCILMAN DeLUCA:**

Resolution Requesting the Commissioner of Public Safety to investigate allegations of misconduct in the Fire Department Carpenter Shop.

*Resolved*, That the Commissioner of Public Safety is requested to investigate allegations of misconduct in the Fire Department Carpenter Shop.

Resolution Requesting the Commissioner of Public Safety to review the rules and regulations of the Fire Department and to cause Emergency Medical Technician and Cardiac (EMTC) Certified, a precondition requirement for employment.

*Resolved*, That the Commissioner of Public Safety is requested to review the rules and regulations of the Fire Department and to cause Emergency Medical Technician and Cardiac (EMTC) Certified, a precondition requirement for employment.

**Severally Read and Collectively Passed, on motion of COUNCILMAN IGLIOZZI, seconded by COUNCILMAN LOMBARDI.**

**The motion for Passage, is Unanimously Sustained.**

Resolution Requesting U.S. Attorney Sheldon Whitehouse to investigate allegations of misconduct and possible misuse of the Laborers' International Legal Fund.

**COUNCIL PRESIDENT PRO TEMPORE FARGNOLI Refers the Resolution to the Committee on Finance.**

**The motion to Refer, is Unanimously Sustained.**

Resolution Requesting the Chairwoman of the Education Committee to appoint a sub committee to research and accumulate data on the Voucher System and Privatization of the Public School System.

*Resolved,* That the Chairwoman of the Education Committee is requested to appoint a sub committee to research and accumulate data on the Voucher System and Privatization of the Public School System.

**COUNCILWOMAN DiRUZZO (By Request):**

Resolution Requesting the Traffic Engineer to prohibit motor vehicle traffic along Webster Avenue, from Clarence Street to Sterling Avenue on Saturday, August 12, 1995, between the hours of 1:00 o'clock P.M. to 4:00 o'clock P.M. for the celebration of the Annual Fifteenth Ward Democratic Associations' "Summerfest".

*Resolved,* That the Traffic Engineer is requested to prohibit motor vehicle traffic along Webster Avenue, from Clarence Street to Sterling Avenue on Saturday, August 12, 1995, between the hours of 1:00 o'clock P.M. to 4:00 o'clock P.M. for the celebration of the Annual Fifteenth Ward Democratic Associations' "Summerfest".

**COUNCILWOMAN FARGNOLI (By Request):**

Resolution Requesting the Traffic Engineer to prohibit motor vehicle traffic along Pleasant Valley Parkway, from Justice Street to Moor-

land Avenue on Tuesday, August 1, 1995, between the hours of 5:00 o'clock P.M. and 9:00 o'clock P.M. for the Music on the Parkway Summer Event.

*Resolved,* That the Traffic Engineer is requested to prohibit motor vehicle traffic along Pleasant Valley Parkway, from Justice Street to Moorland Avenue on Tuesday, August 1, 1995, between the hours of 5:00 o'clock P.M. and 9:00 o'clock P.M. for the Music on the Parkway Summer Event.

**COUNCILMAN GLAVIN (By Request):**

Resolution Requesting the Traffic Engineer to prohibit motor vehicle traffic along Jewett Street, from Schaffer Street to Holden Street on Sunday, July 30, 1995, between the hours of 12:00 o'clock Noon to 5:00 o'clock P.M. to accommodate the State House Homeowner's Association's Annual Block Party.

*Resolved,* That the Traffic Engineer is requested to prohibit motor vehicle traffic along Jewett Street, from Schaffer Street to Holden Street on Sunday, July 30, 1995, between the hours of 12:00 o'clock Noon to 5:00 o'clock P.M. to accommodate the State House Homeowner's Association's Annual Block Party.

**COUNCILMAN IGLIOZZI (By Request):**

Resolution Requesting the Traffic Engineer to cause the installation of "Slow Children" Signs along both sides of Paolino Street.

*Resolved,* That the Traffic Engineer is requested to cause the installation of "Slow Children" Signs along both sides of Paolino Street.

Resolution Requesting the Director of Public Works to repair and/or repave the sidewalks located along 42, 118, 148, 156 and 161 Prudence Avenue and 97 Moorefield Street.

*Resolved*, That the Director of Public Works is requested to repair and/or repave the sidewalks located along 42, 118, 148, 156 and 161 Prudence Avenue and 97 Moorefield Street.

Resolution Requesting the Forestry Division of the Parks Department to cause all trees to be trimmed along Ophelia Street in its entirety.

*Resolved*, That the Forestry Division of the Parks Department is requested to cause all trees to be trimmed along Ophelia Street in its entirety.

Resolution Requesting the Director of Public Works to repair and/or repave the sidewalk located along 9 Daniel Avenue.

*Resolved*, That the Director of Public Works is requested to repair and/or repave the sidewalk located along 9 Daniel Avenue.

Resolution Requesting the Chief Electrical Inspector to upgrade the Street Lighting along Bowlet Street in its entirety.

*Resolved*, That the Chief Electrical Inspector is requested to upgrade the Street Lighting along Bowlet Street in its entirety.

Resolution Requesting the Director of Public

Works to cause the sidewalks to be repaired along 589 Plainfield Street.

*Resolved*, That the Director of Public Works is requested to cause the sidewalks to be repaired along 589 Plainfield Street.

Resolution Requesting the Director of Public Works to cause the sidewalk to be repaired along 314 Laurel Hill Avenue.

*Resolved*, That the Director of Public Works is requested to cause the sidewalk to be repaired along 314 Laurel Hill Avenue.

**Severally Read and Collectively Passed, on motion of COUNCILMAN IGLIOZZI, seconded by COUNCILMAN LOMBARDI.**

**The motion for Passage, is Unanimously Sustained.**

**COUNCILMAN IGLIOZZI, COUNCILMAN DeLUCA and COUNCILMAN ROLLINS:**

Resolution Requesting the School Board not to enter into any Labor contracts including, but not limited to, a labor contract with the Superintendent of the Providence Public Schools that has any of the following conditions: 1. Duration of more than One (1) Year; 2. Any raises, any increase in compensation; 3. Any health benefits that differ from City Council Ordinance; and 4. Any other terms or conditions that are contrary to policy of the City Council as to what binds by Ordinance.

**COUNCIL PRESIDENT PRO TEMPORE FARGNOLI Refers the Resolution to the Committee on Finance.**

**The motion to Refer, is Unanimously Sustained.**

Resolution that the City of Providence should benefit substantially from employment recruitment and initiatives at Providence Place Shopping Mall and initiate an agreement with Providence Place Group and the City of Providence to establish a "Providence Retail Job Training Program" in conjunction with services to be provided by Johnson & Wales University, External Affairs and Contract Training Office at the Center for Fashion Merchandising and Retail Studies.

**COUNCIL PRESIDENT PRO TEMPORE FARGNOLI Refers the Resolution to the Committee on Urban Redevelopment, Renewal and Planning and the Committee on Finance.**

**The motion to Refer, is Unanimously Sustained.**

**COUNCILMAN JACKSON (By Request):**

Resolution Requesting the Traffic Engineer to prohibit motor vehicle traffic in the surrounding vicinity of Rochambeau Avenue, Steele Street and Lancaster Street, on Saturday, August 12, 1995, between the hours of 9:00 o'clock A.M. to 5:00 o'clock P.M. to accommodate Family Day Fair.

*Resolved, That the Traffic Engineer is requested to prohibit motor vehicle traffic in the surrounding vicinity of Rochambeau Avenue, Steele Street and Lancaster Street, on Saturday, August 12, 1995, between the hours of 9:00 o'clock A.M. to 5:00 o'clock P.M. to accommodate Family Day Fair.*

**COUNCILMAN MANCINI (By Request):**

Resolution Requesting the Traffic Engineer to

prohibit motor vehicle traffic along Isabella Avenue, from Enfield Avenue to Clove Street on Sunday, August 6, 1995, between the hours of 11:00 o'clock A.M. to 11:00 o'clock P.M. for a Neighborhood Block Party.

*Resolved, That the Traffic Engineer is requested to prohibit motor vehicle traffic along Isabella Avenue, from Enfield Avenue to Clove Street on Sunday, August 6, 1995, between the hours of 11:00 o'clock A.M. to 11:00 o'clock P.M. for a Neighborhood Block Party.*

**COUNCILWOMAN NOLAN (By Request):**

Resolution Requesting the Traffic Engineer to prohibit motor vehicle traffic along Gallatin Street, at its intersections with Elmwood Avenue, Melrose Street, Kipling Street and Ruskin Street on Saturday, August 12, 1995, between the hours of 9:00 o'clock A.M. to 12:00 o'clock Midnight to accommodate a Neighborhood Block Party.

*Resolved, That the Traffic Engineer is requested to prohibit motor vehicle traffic along Gallatin Street, at its intersections with Elmwood Avenue, Melrose Street, Kipling Street and Ruskin Street on Saturday, August 12, 1995, between the hours of 9:00 o'clock A.M. to 12:00 o'clock Midnight to accommodate a Neighborhood Block Party.*

Resolution Requesting the Director of Public Property to repair that burnt area at the rear of the Alternate Learning Project before the start of School this Fall.

*Resolved, That the Director of Public Property is requested to repair that burnt area at the rear of the Alternate Learning Project before the start of School this Fall.*

Resolution Requesting the Superintendent of Schools to cause the gates at the Alternate Learning Project to be closed and locked and that signs be posted stating "Basketball Court closed after 9:00 o'clock P.M."

*Resolved*, That the Superintendent of Schools is requested to cause the gates at the Alternate Learning Project to be closed and locked and that signs be posted stating "Basketball Court closed after 9:00 o'clock P.M."

Resolution Requesting the Director of Public Property to cause the grass to be cut and to trim the shrubbery at the Alternate Learning Project and to supply the School Department with a lawn mower and weed wacker to cut the grass beds, also send out a crew to clean up premises and cut weeds along the fence.

*Resolved*, That the Director of Public Property is requested to cause the grass to be cut and to trim the shrubbery at the Alternate Learning Project and to supply the School Department with a lawn mower and weed wacker to cut the grass beds, also send out a crew to clean up premises and cut weeds along the fence.

Resolution Requesting the Traffic Engineer to post temporary "No Parking" Signs adjacent to "Thomas H. Early Memorial Park" (Cadillac Drive Park) to prevent the parking chaos associated with Saturday Afternoon Soccer Games.

*Resolved*, That the Traffic Engineer is requested to post temporary "No Parking" Signs adjacent to "Thomas H. Early Memorial Park" (Cadillac Drive Park) to prevent the parking chaos associated with Saturday Afternoon Soccer Games.

Resolution Requesting the Superintendent of Parks to cause Large signs to be posted "Parking in Armory Lot on Niagara Street" at the Cadillac Drive Park.

*Resolved*, That the Superintendent of Parks is requested to cause Large signs to be posted "Parking in Armory Lot on Niagara Street" at the Cadillac Drive Park.

Resolution Requesting the Superintendent of Parks to cause Large signs to be posted at Cadillac Drive Park, said signs to be printed in English, Spanish, Cambodian, Laotian and Portuguese and to read "No Cooking in Park" and "No Alcohol in Park".

*Resolved*, That the Superintendent of Parks is requested to cause Large signs to be posted at Cadillac Drive Park, said signs to be printed in English, Spanish, Cambodian, Laotian and Portuguese and to read "No Cooking in Park" and "No Alcohol in Park".

**Severally Read and Collectively Passed, on motion of COUNCILMAN IGLIOZZI, seconded by COUNCILWOMAN NOLAN.**

**The motion for Passage, is Unanimously Sustained.**

**COUNCILWOMAN NOLAN (By Request):**

Resolution Authorizing the City Collector to cause the taxes to be abated on that property located along 236 Atlantic Avenue in the amount of Two Thousand, Seventy-Nine Dollars, Ninety-Seven Cents (\$2,079.97) as requested by The Elmwood Foundation for Architecture & Historic Preservation.

**COUNCIL PRESIDENT PRO TEMPORE**

**FARGNOLI Refers the Resolution to the Committee on Finance.**

**The motion to Refer, is Unanimously Sustained.**

Avenue, from President Avenue to Lloyd Avenue on Sunday, August 13, 1995, between the hours of 2:00 o'clock P.M. to 6:00 o'clock P.M. to accommodate a Neighborhood Block Party.

**COUNCILMAN ROLLINS (By Request):**

Resolution Requesting the Traffic Engineer to prohibit motor vehicle traffic along Trask Street, from Eddy Street to Cahill Street on Saturday, August 26, 1995, to accommodate a Neighborhood Block Party.

*Resolved, That the Traffic Engineer is requested to prohibit motor vehicle traffic along Trask Street, from Eddy Street to Cahill Street on Saturday, August 26, 1995, to accommodate a Neighborhood Block Party.*

Resolution Requesting the Superintendent of Parks to post "No Dogs in Park" Signs along the Sessions Street Park.

*Resolved, That the Superintendent of Parks is requested to post "No Dogs in Park" Signs along the Sessions Street Park.*

**COUNCILWOMAN WILLIAMS (By Request):**

Resolution Requesting the Traffic Engineer to prohibit motor vehicle traffic along Taber Avenue, from President Avenue to Lloyd Avenue on Sunday, August 13, 1995, between the hours of 2:00 o'clock P.M. to 6:00 o'clock P.M. to accommodate a Neighborhood Block Party.

*Resolved, That the Traffic Engineer is requested to prohibit motor vehicle traffic along Taber*

Resolution Requesting the Traffic Engineer to replace those worn out "No Parking" Signs along Adelphi Avenue, between Wayland Avenue and Elmgrove Avenue and to also place "No Thru Truck" Signs at the end of said Street.

*Resolved, That the Traffic Engineer is requested to replace those worn out "No Parking" Signs along Adelphi Avenue, between Wayland Avenue and Elmgrove Avenue and to also place "No Thru Truck" Signs at the end of said Street.*

**Severally Read and Collectively Passed, on motion of COUNCILMAN IGLIOZZI, seconded by COUNCILMAN LOMBARDI.**

**The motion for Passage, is Unanimously Sustained.**

## REPORTS FROM COMMITTEES

### COUNCILWOMAN EVELYN V. FARGNOLI, Chairwoman COMMITTEE ON FINANCE

**Transmits the following with Recommendation the Same be Severally Approved:**

Resolution Accepting the Transfer of Water Place Park.

**COUNCIL PRESIDENT PRO TEMPORE FARGNOLI Refers the Resolution to the Committee on City Property.**

**The motion to Refer, is Unanimously Sustained.**

Resolution Authorizing the City Collector to cause the taxes for the years 1994 and prior to be abated on that property located along Plat 54, Lot 88, situated along 94 Gallup Street in the total amount of Three Thousand, Ninety-One Dollars, One Cent (\$3,091.01) in accordance with the application filed by SWAP.

*Resolved*, That the City Collector is authorized to cause the taxes for the years 1994 and prior to be abated on that property located along Plat 54, Lot 88, situated along 94 Gallup Street in the total amount of Three Thousand, Ninety-One Dollars, One Cent (\$3,091.01) in accordance with the application filed by SWAP.

Resolution Authorizing the City Collector to cause the taxes for the years 1994 and prior to be abated on those properties located along Plat

54, Lots 87 and 83 situated along 100 and 114 Gallup Street in the total amount of Three Thousand, Eight Hundred Sixty-Eight Dollars, Ninety-Six Cents (\$3,868.96) in accordance with the application filed by SWAP.

*Resolved*, That the City Collector is authorized to cause the taxes for the years 1994 and prior to be abated on those properties located along Plat 54, Lots 87 and 83 situated along 100 and 114 Gallup Street in the total amount of Three Thousand, Eight Hundred Sixty-Eight Dollars, Ninety-Six Cents (\$3,868.96) in accordance with the application filed by SWAP.

**Severally Read and Collectively Passed, on motion of COUNCILMAN IGLIOZZI, seconded by COUNCILMAN LOMBARDI, by the following Roll Call Vote:**

**Ayes: Council President Pro Tempore Fagnoli, Councilmen Allen, Clarkin, Councilwoman DiRuzzo, Councilmen Glavin, Igliazzi, Jackson, Lombardi, Councilwoman Nolan, Councilman Rollins, Williams and Young—12.**

**Noes: Councilman DeLuca—1.**

**Absent: Council President Petrosinelli and Councilman Mancini—2.**

**The motion for Passage, is Sustained.**

**COUNCILMAN JOHN J. LOMBARDI, Chairman  
COMMITTEE ON CITY PROPERTY**

**Transmits the following with Recommendation  
the Same be Approved:**

Resolution Relative to the sale of Lot 1560 on Cranston Assessor's Plat 17-2 with all buildings and improvements thereon, situated on the easterly side of Abbott Street in the City of Cranston, County of Providence.

*Resolved, Decreed and Ordered,* That His Honor, the Mayor, is hereby authorized to transfer that certain parcel of land, Lot 1560 on Cranston Assessor's Plat 17-2, located on Abbott Street on the corner of Holgate Street in the City of Cranston, County of Providence, State of Rhode Island. The parcel is excess land of the Water Supply Board not needed for current or future operations of the Water Supply System. Said transfer shall be made to the highest bidders, Ronald and Wilma Swanson, for the sum of Two Thousand Five Hundred Dollars (\$2,500.00), which is also the appraised value. Said transfer shall be subject to the buyer granting a perpetual

easement to the Water Supply Board for the purpose of operating, maintaining, repairing, altering, renewing or removing a water transmission main and appurtenances.

All documentation for said transfer must meet the terms and conditions as have been set forth by the Committee on City Property, the City Council, and His Honor, the Mayor. Said documentation shall also meet the satisfaction of the City Solicitor.

**Read and Passed, on motion of COUNCILMAN IGLIOZZI, seconded by COUNCILMAN LOMBARDI.**

**The motion for Passage, is Unanimously Sustained.**

## COMMUNICATIONS AND REPORTS

**FROM THE BOARD OF LICENSES:**

Report dated July 5, 1995, of all moneys received, transmitted to and credited by the City Collector for the quarter ending June 30, 1995.

Received.

**FROM THE CITY ASSESSOR:**

Certificates (Nos. 1Z and 2Z) Recommending the Same be Severally Cancelled, pursuant to the Provisions of Sections 14 and 15 of Title 44, Chapter 7, of the General Laws of the State of Rhode Island, 1956, as Amended.

**COUNCIL PRESIDENT PRO TEMPORE  
FARGNOLI Severally Refers the Certifi-**

ates to the Committee on Claims and Pending Suits.

The motion to Refer, is Unanimously Sustained.

### FROM THE CLERK'S DESK

Petition of Douglas Avenue Associates, K. MacArthur Coates, Vice-President, to abandon that portion of Manilla Street, located to the north of rear lot line of Lot 436 on Assessor's Plat 79, running northerly to the North Providence Town Line.

**COUNCIL PRESIDENT PRO TEMPORE FARGNOLI Refers the Petition to the Committee on Public Works.**

The motion to Refer, is Unanimously Sustained.

**COUNCIL PRESIDENT PRO TEMPORE FARGNOLI Refers the Petition to the Committee on Public Works.**

The motion to Refer, is Unanimously Sustained.

**Petitions for Compensation for Injuries and Damages, viz:**

Christina Ferreira

Paula Yahn

Farm Family Mutual Ins. Co., a/s/o Todd Kopka

Constance Landi

Metropolitan Insurance a/s/o Albert Monfils

Matthew P. Laferriere.

Jenny M. Abreu

Palmeda Pontus

Robert Lizotte

Mr. and Mrs. J. Gooden

Celeste D. Baccaire and Stephanie Baccaire

Petition of Edward P. Manning, Esquire for Tri-Mar Industries, Inc., to abandon various streets in the City of Providence.

**COUNCIL PRESIDENT PRO TEMPORE FARGNOLI Refers the Petition to the Committee on Public Works.**

The motion to Refer, is Unanimously Sustained.

Petition of Barbara Sokoloff Associates, requesting permission to install two handicapped ramps at the entrance of the Shepard Building in Downtown Providence.

Joseph Pimental

Sheila L. Costello

Jia J. Pina

Ronald Yeater

Safety Ins. Co., a/s/o Richard Q. Emrich

Judith Iarocci

Michael Grupp

Julianne Puleo

Joyce Y. Spivey p.p.a. Brandie Lynette Spivey

Kimberly J. Abbott for AMICA as subrogee of  
Anne E. Morry

**COUNCIL PRESIDENT PRO TEMPORE  
FARGNOLI Severally Refers the Petitions  
to the Committee on Claims and Pending  
Suits.**

**The motion to Refer, is Unanimously  
Sustained.**

## PERSONAL EXPRESSION

**COUNCILMAN ALLEN requests the privilege of the floor to speak on a point of personal expression and states:**

"I opened up my mail today and I received a letter from Kathleen Moretti, regarding an individual who lives in the City of Cranston who was appointed by the City Council to a position in the City of Providence back in January and in this letter dated April 12th she said she wrote to that individual explaining that he is not in compliance with the residency rule and he will have to live in the City of Providence and he wrote back on May 5th stating that he would need an

extension and here we are now, August 3rd and the individual still has not complied. Ms. Moretti is requesting that we do something to comply with Section 1210 of the Home Rule Charter and as you know, a couple of months ago I put in a resolution asking for enforcement of the Residency Rule of the Home Rule Charter and I will be making a motion that this body do something and take action and that there will be one less person who once again benefits from the City but does not live in the City. Thank you."

## PRESENTATION OF CITATIONS

### *"In Congratulations"*

**COUNCIL PRESIDENT PETROSINELLI  
and the MEMBERS of the CITY COUNCIL:**

Citations extending Congratulations.

*Resolved*, That the Congratulations of the Members of the City Council are hereby extended to the following:

Nancy Noonan, in recognition of the celebration of her 60th Birthday on August 5, 1995.

Julia Casbarro, in recognition of the celebration of her 60th Birthday.

Mary Kay W. Schnare, in recognition of being chosen as Providence Teacher of the Year for 1996.

R. Kelly Sheridan, in recognition of being elected President of the Rhode Island Bar Association.

Battalion Chief Michael J. Dutra, in recognition of being promoted Battalion Chief of the Providence Fire Department.

**Severally Read and Collectively Passed, on motion of COUNCILMAN IGLIOZZI, seconded by COUNCILMAN LOMBARDI.**

**The motion for Passage, is Unanimously Sustained.**

## PRESENTATION OF RESOLUTIONS

### *"In Memoriam"*

**COUNCIL PRESIDENT PETROSINELLI  
and the MEMBERS of the CITY COUNCIL:**

Resolution extending Sympathy.

*Resolved*, That the Sympathy of the Members of the City Council is hereby expressed to the families of the following:

Earl C. Brent

Nicholas "Nick" DiTommaso

Antonetta A. "Ann" Nevins

Honorable Thomas F. Kelleher

Oscar A. "Arnie" Leach

Audrey R. Evora

Lilla M. DiPina

John Miele, Sr.

Helen M. Doolan

Vito Carneglia

Julia M. Noonan

Genevieve M. Harp

Frank R. Martini

Ida Lettieri

Frances L. Hawksley

Matilda "Minnie Judge" DelGiudice

Archie A. "Archie the Barber" Grenga

Elizabeth Ann Diggins

Mildred E. Nocera

John Giardino

Doris E. Ristigian

William "Bill" Spacagna

Domenic "Tom" Iozzi

Rabbi Boruch Korff

Edward Soares

Kenneth Fontes

Orsola S. "Alice Tift" Duffy

Leonardo "Lenny" Marsigliano

Madeline M. DeMarco

John P. Colizzo

Ferdinando V. "Doc" Soave

**Severally Read and Collectively Passed,  
on a Unanimous Rising Vote, on motion of  
COUNCILMAN IGLIOZZI, seconded by  
COUNCILMAN LOMBARDI.**

**The motion for Passage, is Unanimously  
Sustained.**

## ADJOURNMENT

There being no further business, on motion of COUNCILMAN IGLIOZZI, seconded by COUNCILMAN LOMBARDI, it is voted to adjourn at 8:45 o'clock P.M. (E.D.T.) to meet again on THURSDAY, SEPTEMBER 7, 1995 at 7:30 o'clock P.M. (E.D.T.).

*Michael R. Clement*

City Clerk