

THE CITY OF PROVIDENCE
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

RESOLUTION OF THE CITY COUNCIL

No. 220

Approved April 12, 1985

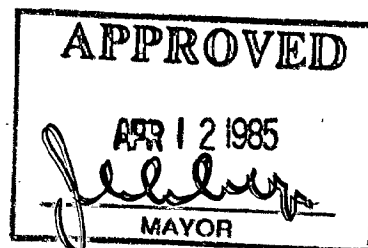
WHEREAS, Senate Bill 85-S 767 relates to tax-exempt property in the City of Providence, and

WHEREAS, Said Act allows the City of Providence the option of imposing a service fee on otherwise tax-exempted colleges and hospitals, taxing income-producing properties and freezing the growth of tax-exempted properties,

NOW, THEREFORE, BE IT RESOLVED, That the Members of the Providence City Council hereby endorse and urge passage of Senate Bill 85-S 767, presently pending before the Senate Committee on Corporations.

IN CITY COUNCIL
APR 4 1985
READ AND PASSED

Richard W. Egan PRES.
Rozenn Mendonca CLERK



IN CITY COUNCIL
MAR 21 1985

FIRST READING
REFERRED TO COMMITTEE ON FINANCE

Rose Mendonca CLERK

THE COMMITTEE ON

FINANCE

Recommends

Rose Mendonca Clerk
April 1, 1985

Transmitted to City
Council without
recommendation

Councilman Slavin Councilman Dillon
and Councilwoman Faynoli (By Request)

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 1985

A N A C T

RELATING TO TAX EXEMPT PROPERTY IN
THE CITY OF PROVIDENCE

Introduced By: Senators Orabona, D'Ambra, Hickey,
Walton, Ruggerio, et al.
Date Introduced: March 1, 1985
Referred To: Senate Committee on
Corporations

It is enacted by the General Assembly as follows:

- 1 SECTION 1. Services charges -- (a) Notwithstanding the provi-
2 sions of section 44-3-3 of the general laws, or of any other law or
3 legislative charter the city council of the city of Providence, at its
4 option, may impose a levy in the form of a service charge upon the
5 owners of the following classes of real and personal property within
6 the city of Providence:
- 7 (i) the land buildings and personal property used exclusively as
8 a college or university or other institution of higher education as
9 defined and as certified by the commissioner of post-secondary educa-
10 tion;
- 11 (ii) the land, buildings and personal property used exclusively
12 as a nonprofit hospital as licensed by the director of health or by
13 the director of mental health, retardation and hospitals; unless the
14 state of Rhode Island reimburses the city for the amount of service
15 charges imposed.

1 (b) Such service charge shall not exceed the levy that would have
2 otherwise been imposed upon such property had that property been sub-
3 ject to taxation pursuant to title 44 of the general laws.

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

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

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

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

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

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

21 SECTION 2. Income Producing Properties -- Notwithstanding the
22 provisions of section 44-3-3 of the general laws or of any other law
23 or legislative charter, the city council of the city of Providence at
24 its option may impose a levy and subject to ad valorem taxation, on
25 real or personal property otherwise exempted pursuant to section
26 44-3-3 if such property is not utilized on a regular basis for
27 nonprofit activities is income producing and its use is not directly
28 related to and necessary for the purposes of the tax exemption pro-
29 vided by state law as determined by the tax assessor subject to an
30 appeal by the owner of said property to the city council of the city
31 of Providence.

1 SECTION 3. Tax Exempted Disclosures -- The owner of any property
2 located in the city of Providence exempt pursuant to section 44-3-3 or
3 pursuant to a special act or legislative charter shall file on or
4 before March of each year with the tax assessor a disclosure statement
5 indicating the location use the amount of square footage of land and
6 building and the amount and sources of income generated by the prop-
7 erty which is exempted. Property exempted shall be certified by the
8 tax assessor. Any owner of tax exempted property in the city of
9 Providence failing to file such disclosure shall be subject to taxa-
10 tion as otherwise provided in chapters 4, 5, 7 and 9 of title 44 of
11 the general laws.

12 SECTION 4. Public Utilities -- Notwithstanding any other law or
13 legislative charter any public utility located in the city of Provi-
14 dence including the Narragansett Bay Water Quality Management District
15 Commission and the Providence Water Supply Board shall be subject to
16 property taxation as otherwise provided in chapters 4, 5, 7 and 9 of
17 title 44 of the general laws.

18 SECTION 5. Additions to tax exempted property -- Ownership of
19 real property acquired after July 1, 1985 by entities subject to the
20 benefits of the provisions of subsections 44-3-3 (1), (4), (8), (9),
21 (10), (13), and (14) and/or special charters or acts in the city of
22 Providence shall be subject to taxation as provided in chapters 4, 5,
23 7 and 9 of title 44 of the general laws unless the council of the city
24 of Providence either by ordinance exempts such additional property or
25 imposes an annual service fee upon said property as provided in
26 SECTION 1.

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

1 SECTION 7. Transfers of tax exempted properties -- Any purchaser
2 heir successor or assigns of any real property or personal property
3 otherwise previously exempt from property taxation shall be liable to
4 property taxation pursuant to the provisions of chapter 5 of title 44
5 from the date of the conveyance to the purchaser to December 31 of
6 that year on a prorated basis on the basis of the value of said previ-
7 ously exempted property as of December 31 of the previous year. Any
8 new nontax-exempt owner of such previously exempted property may
9 appeal such pro rata assessment and levy within thirty (30) days of
10 receipt of a tax bill as otherwise provided in chapter 4 of title 44.

11 SECTION 8. Repeal -- To the extent that any corporate charter of
12 a college or hospital special act or other legislative act is incon-
13 sistent or in conflict with this act such portion of such charter or
14 acts are hereby repealed.

15 SECTION 9. This act shall take effect upon passage.

RE200

EXPLANATION
BY THE LEGISLATIVE COUNCIL

OF

AN ACT

RELATING TO TAX EXEMPT PROPERTY IN
THE CITY OF PROVIDENCE

1 This act allows the city of Providence the option of impos-
2 ing a service fee on otherwise tax exempted colleges and hospi-
3 tals taxing income producing properties and freezing the growth
4 of tax exempted properties.

5 This act would take effect upon passage.

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