

THE CITY OF PROVIDENCE
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

RESOLUTION OF THE CITY COUNCIL

No. 120

Approved February 20, 1956

Resolved,

That the City Solicitor be and he hereby is authorized and directed to appear before the 1956 Session of the General Assembly and urge passage of an Act relating to redevelopment, substantially in accordance with the accompanying draft act.

IN CITY COUNCIL

FEB 16 1956

READ and PASSED

Angel P. DiStefano
President
Robert L. Williams
Clerk

APPROVED

FEB 20 1956

Angel P. DiStefano
ACTING MAYOR

FILED

JAN 16 4 20 PM

CITY CLERK'S OFFICE
PROVIDENCE, R.I.

RESOLUTION
OF THE
CITY COUNCIL

IN CITY
COUNCIL

JAN 19 1953

NOTED BY CLERK
ORDINANCES
RECORDED

*Mr. Chapin
May request*

adequate police, fire and accident protection and other public services and facilities; (d) that this menace is becoming increasingly direct and substantial in its significance and effect; (e) that such areas prevent the provision of critically needed standard living and working accommodations; (f) that the retardation of housing improvement and other essential community development is a direct and immediate result of such blighted and substandard areas; (g) that conditions of blight tend to foster the spread of such conditions to other areas; (h) that the benefits which will result from the remedying of these conditions and the redevelopment of these blighted and substandard areas will accrue to all the inhabitants and property owners of the communities in which they exist and to the inhabitants of this state generally.

Section 3. It is further found and declared (a) that it is impossible for private enterprise alone to remedy such conditions of blight without the additional aids herein granted; (b) that such blighted and substandard conditions tend to further obsolescence, deterioration and disuse because of the lack of incentive to the individual landowner and his inability to improve, modernize or rehabilitate his own particular property while the condition of other neighborhood properties remains unchanged; (c) that, as a consequence, the process of deterioration of a blighted and substandard area frequently cannot be halted or corrected except by redevelopment of the entire area, or portions thereof; (d) that in many such instances the private assembly of the lands in blighted and substandard areas for the purposes of replanning and redevelopment is so difficult and costly that it is uneconomical and as a practical matter impossible for individual owners independently or collectively to undertake to remedy such conditions because of the lack of the legal power necessary for, and the excessive costs involved in, the private assembly and improvement of the real property of the area.

Section 4. It is further found and declared that in certain blighted and substandard areas, or portions thereof, the physical conditions of the area and the area's relationship to the general plan for the community may be such that the total public acquisition, clearance and disposition of the

entire area or an extensive portion thereof may be necessary to accomplish the purposes of this act; that other blighted and substandard areas, or portions thereof, may be susceptible to rehabilitation and improvement to standard conditions, and the purposes of this act may be accomplished by the coordinated application of regulatory controls together with redevelopment measures short of total or extensive clearance of the entire area or portions thereof.

Section 5. It is hereby declared to be the policy of this state to protect and promote the health, safety, morals and general welfare of the people of the state and particularly of the people of the communities of the state in which blighted and substandard areas exist by the elimination and prevention of such areas through the utilization of all means appropriate for that purpose thereby encouraging the provision of healthful homes, a decent living environment and adequate places for employment of the people of this state and its communities in such areas through redevelopment. To this end it is hereby declared that the powers conferred by this act are necessary to effectuate the purposes of this act and are for public uses and purposes for which the power of eminent domain may be exercised, tax monies and other public funds expended and public credit pledged.

Section 6. It is hereby declared that the purposes of this act are the elimination and prevention of blighted and substandard areas and their replacement through redevelopment by well-planned, integrated, stable, safe and healthful neighborhoods in the manner and by the means provided in this act, thereby carrying out the policy of this state, as heretofore declared in section 5 of this act.

ARTICLE 3. GENERAL PROVISIONS AND DEFINITIONS

Section 7. The following definitions and general provisions govern the construction of this act.

Section 8. "Agency" means a redevelopment agency created by this act.

Section 9. "Blighted and substandard area" includes a "slow blighted area", a "deteriorated blighted area", or an "arrested blighted area" or any combination of such areas.

(a) "Slum blighted area" means any area in which there is a predominance of buildings or improvements, either used or intended to be used for living, commercial, industrial or other purposes, or any combination of such uses, which by reason of (1) dilapidation, deterioration, age or obsolescence, (2) inadequate provision for ventilation, light, sanitation, open spaces and recreation facilities, (3) high density of population and overcrowding, (4) defective design or insanitary ^{/or} unsafe character or condition of physical construction, (5) defective or inadequate street and lot layout, (6) mixed character or shifting of uses to which they are put, or any combination of such factors and characteristics, are conducive to ill health, transmission of disease, infant mortality, juvenile delinquency and crime and injuriously affect the entire area and constitute a menace to the public health, safety, morals and welfare of the inhabitants of the community and of the state generally. A slum blighted area need not be restricted to, or consist entirely of, land, buildings, or improvements which of themselves are detrimental or inimical to the public health, safety, morals or welfare, but may consist of an area in which such conditions predominate and injuriously affect the entire area.

(b) "Deteriorated blighted area" means any area in which there exist buildings or improvements, either used or intended to be used for living, commercial, industrial or other purposes, or any combination of such uses, which by reason of (1) dilapidation, deterioration, age or obsolescence, (2) inadequate provision for ventilation, light, sanitation, open spaces and recreation facilities, (3) high density of population and overcrowding, (4) defective design or insanitary or unsafe character or conditions of physical construction, (5) defective or inadequate street and lot layout, (6) mixed character, shifting or deterioration of uses to which they are put, or any combination of such factors and characteristics, are conducive to the further deterioration and decline of such area to the point where it may become a slum blighted area as defined in section 9 (a) herein, and are detrimental to the public health, safety, morals and welfare of the inhabitants of the community and of the state generally. A deteriorated blighted area need not

be restricted to, or consist entirely of, lands, buildings, or improvements which of themselves are detrimental or inimical to the public health, safety, morals or welfare, but may consist of an area in which such conditions exist and injuriously affect the entire area.

(c) "Arrested blighted area" means any area which by reason of the existence of physical conditions including, but not by way of limitation, the existence of unsuitable soil conditions, the existence of dumping or other insanitary or unsafe conditions, the existence of ledge or rock, the necessity of unduly expensive excavation, fill or grading, or the necessity of undertaking unduly expensive measures for the drainage of the area or for the prevention of flooding thereof or for making the same appropriate for sound development, or by reason of obsolete, inappropriate or otherwise faulty platting or subdivision, deterioration of site improvements, inadequacy of utilities, diversity of ownership of plots, or tax delinquencies, or by reason of any combination of any of the foregoing conditions, is unduly costly to develop soundly through the ordinary operations of private enterprise and impairs the sound growth of the community.

Section 10. "Bonds of agency" means any bonds, notes, interim certificates, debentures or other obligations issued by an agency pursuant to Article 13 of this act.

Section 11. "Community" means a city or town.

Section 12. "Federal government" means the United States of America or any agency or instrumentality, corporate or otherwise, of the United States of America.

Section 13. "Legislative body" means city council or town council.

Section 14. "Obligee of the agency" or "obligee" shall include any bond holder, trustee or trustees for any bond holder, or lessor deeming to the Agency property used in connection with a redevelopment project or any assignee or assignees of such lessor, and the federal government.

Section 15. "Planning commission" or "commission" means a planning commission or other planning agency established under any state law or created by or pursuant to the charter of the community.

Section 16. "Project area" means all or any portion of a redevelopment area. A project area may include lands, buildings or improvements which of themselves are not detrimental or inimical to the public health, safety, morals or welfare, but whose inclusion is necessary, with or without change in their conditions or ownership, for the effective redevelopment of the area of which they are a part.

Section 17. "Public hearing" means a hearing before a legislative body or before any committee of such legislative body to which the matter to be heard shall have been referred.

Section 18. "Real property" means lands, including lands underwater and water-front property, buildings, structures, fixtures and improvements thereon, and every estate, interest, privilege, easement, franchise and right, legal or equitable, therein, including rights-of-way, terms for years and liens, charges or encumbrances by way of judgment, attachment, mortgage or otherwise and the indebtedness secured by such liens.

Section 19. "Redevelopment" means the elimination and prevention of the spread of blighted and substandard areas. Redevelopment may include the planning, replanning, acquisition, rehabilitation, improvement, clearance, sale, lease or other disposition, or any combination of these, of land, buildings or other improvements for residential, recreational, commercial, industrial, institutional, public or other purposes, including the provision of streets, utilities, recreational areas and other open spaces consistent with the needs of sound community growth in accordance with the community's general plan and carrying out plans for a program of voluntary repair and rehabilitation of buildings or other improvements.

Section 20. "Redevelopment area" means an area of a community which the legislative body thereof finds is a blighted and substandard area whose redevelopment is necessary to effectuate the public purposes declared in this act.

Section 21. "Redevelopment Plan" means a plan, as it exists from time to time, for a redevelopment project, which plan (1) shall conform to the general plan for the community as a whole; and (2) shall be sufficiently complete to indicate such land acquisition, demolition and removal of structures, redevelopment, improvements, and rehabilitation as may be proposed to be carried out in the project area, zoning and planning changes, if any, land uses, maximum densities, building requirements, and the plan's relationship to definite local objectives respecting appropriate land uses, improved traffic, public transportation, public utilities, recreational and community facilities, and other public improvements.

Section 22. "Redevelopment project" means any work or undertaking of an agency pursuant to this act.

Section 23. "State government" means the State of Rhode Island or any agency or instrumentality, corporate or otherwise, thereof; "State public body" means the state, or any city or town or any other subdivision or public bodies of the state or of any city or town.

ARTICLE L. PREREQUISITES

Section 24. A community must comply with the requirements of this article before proceeding further under this act.

Section 25. The community must have a planning commission.

Section 26. The community must have a master or general community plan adopted by the planning commission or the legislative body, and in either case the plan must include at least the following:

(a) A land-use plan which designates the proposed general distribution and general location and extent of the uses of the land for housing, business, industry, recreation, education, public buildings and grounds and other categories of public and private uses of land.

(b) The general location and extent of existing and proposed major thoroughfares.

(c) A statement of the standards of population density and building intensity recommended in and for the various districts and other territorial units, together with estimates of future population growth, in the territory covered by the plan, all correlated with the land-use plan.

(d) A description of the area or areas in which blighted and substandard conditions are found and recommendations as to the area or areas which should be designated for redevelopment.

Section 27. The legislative body of the community must have designated by resolution or ordinance one or more areas within the community as a redevelopment area or areas. (Whenever the word "resolution" is hereinafter used, it shall be deemed to mean "resolution or ordinance"). Each such resolution shall include a description of the boundaries of the area or areas designated as a redevelopment area or areas. Before passing such a resolution the legislative body or the committee thereof to which such proposed resolution has been referred shall give notice of the date, time, place and purpose of a public hearing or hearings with reference thereto at which the recommendations of the planning commission developed in accordance with the provisions of Section 26 shall be considered. Such notice shall be published not less than once a week for three successive weeks prior to the hearing in a newspaper of general circulation published in the community, or if no such newspaper is published in the community, then in a newspaper of general circulation in the community. At such public hearing all persons or agencies interested shall have an opportunity to be heard and to submit communications in writing. The public hearing required by this section may be held jointly with the hearing upon a redevelopment plan for a project area as provided in Section 18 if the legislative body so directs. Any person, group, association or corporation may in writing petition the legislative body to designate one or more areas within the community as redevelopment areas, and may submit with their petition plans showing the proposed redevelopment of such areas or any parts thereof.

ARTICLE 5. REDEVELOPMENT AGENCIES

Section 28. There is hereby created in each community a redevelopment agency to be known as the redevelopment agency of the community.

Section 29. The agency of any community shall not transact any business or exercise any powers under this act unless and until the legislative body of

the community shall by resolution declare at any time hereafter that there is need for a redevelopment agency to function in such community.

Section 30. In any suit, action or proceeding involving the validity or enforcement of, or relating to any contract by or on behalf of an agency, the agency shall be conclusively deemed to have become established and authorized to transact business and exercise its powers upon proof of the adoption of a resolution by the legislative body declaring the need for the redevelopment agency to function.

Section 31. When the legislative body of a community first adopts a resolution as provided for in section 29 of this act, the mayor or the president of the town council shall appoint five resident electors of the community as members of the agency subject to the approval of the legislative body. No member of the agency may be an elective officer or an employee of the community. The powers of each agency shall be vested in the members thereof then in office. Members shall receive their actual and necessary expenses, including travel expenses, and may receive such other compensation as the legislative body may prescribe.

Section 32. The members who are first appointed shall be designated to serve for terms of one, two, three, four and five years respectively. Thereafter members shall be appointed as aforesaid for a term of office of five years, except that all vacancies occurring during a term shall be filled for the unexpired term. A member shall hold office until his successor has been appointed and has qualified.

The agency shall elect a chairman and vice chairman from among its members. The agency shall elect or appoint a secretary who need not be a member of the agency. The term of office of the chairman, vice chairman and secretary, unless otherwise prescribed by the legislative body of the community, shall be for the calendar year, or for that portion thereof remaining after each such officer is designated or elected.

Section 33. For inefficiency, neglect of duty or misconduct in office, a member of an agency may be suspended by the appointing authority. A member

of an agency may be removed by the legislative body only after he shall have been given a copy of the charges against him, which copy shall be served on him at least ten (10) days prior to a public hearing thereon, and after he has had an opportunity to be heard in person or by counsel, at said hearing which shall be held within thirty (30) days after the date of such suspension.

Section 34. No officer or employee of the community or of the agency who in the course of his duties is required to participate in the formulation of plans or policies for the redevelopment of a project area, or to approve such plans or policies, shall acquire any interest in any property included within a project area within the community. If any such officer or employee owns or has any financial interest direct or indirect, in any property included within such a project area he shall immediately disclose, in writing, such interest to the legislative body of the community and such disclosure shall be entered in the minutes of the agency and of the legislative body. Failure to disclose such interest shall constitute misconduct in office. No payment shall be made to any member or officer of an agency for any property or interest therein acquired by the agency from such member or officer, unless the amount of such payment is fixed by court order in eminent domain proceedings, or unless such payment is unanimously approved by the legislative body.

Section 35. When the agency created for any community becomes authorized to transact business and exercise its powers, the legislative body of the community may at that time, and from time to time thereafter, make an estimate of the amount of money required for the administrative purposes of the agency and may appropriate such amounts to the agency as it deems necessary.

Section 36. Each agency transacting any business and exercising any powers shall annually submit to the legislative body of the community a proposed budget of its administrative expenses. Such budget shall be subject to such changes as the legislative body may prescribe, and its preparation and adoption, and the adoption of any changes therein, shall be subject

to the same rules which are applicable to other agencies and departments of the community which are subject to budgetary control. No such adoption is effective unless it is concurred in by the membership of the legislative body.

Section 37. Each such agency shall file with the legislative body a detailed report of all its transactions, including a statement of all revenues and expenditures, at monthly, quarterly, or annual intervals as the legislative body may prescribe.

Section 38. At any time after two years after adopting a resolution declaring that there is need for an agency to function in a community, the legislative body thereof, if such agency shall not theretofore have redeveloped or acquired land for, or commenced the redevelopment of a project or entered into any contracts for redevelopment may by resolution declare that there is no further need for such agency in the community. Thereupon the offices of the members of the agency shall be vacated and the capacity of the agency to transact business or exercise any power shall be suspended and shall remain suspended until the legislative body thereafter adopts a resolution declaring the need for the agency to function.

Section 39. Each agency shall appoint in writing some competent person or persons resident in this state as its resident attorney or attorneys with authority to accept service of process against such agency in this state, and upon any of whom all process against such agency in this state may be served. Such power of attorney shall be filed in the office of the secretary of state and shall state the name and address of each such resident attorney. If any such resident attorney shall die, resign or move from the state, such agency shall forthwith make a new appointment as aforesaid and shall forthwith file such power of attorney in the office of the secretary of state. No such power of attorney shall be revoked until after a like power shall have been given to some other competent attorney resident in this state and filed as aforesaid. Service of process upon any such resident attorney shall be deemed sufficient service upon the agency.

ARTICLE 6. POWERS OF REDEVELOPMENT AGENCY

Section 40. Each redevelopment agency shall constitute a public body, corporate and politic, exercising public and essential governmental functions, and shall have all the powers necessary and convenient to carry out and effectuate the purposes and provisions of this act, including the powers enumerated in this article in addition to others granted by this act:

(a) To sue and be sued; to borrow money; to compromise and settle claims; to have a seal; to make and execute contracts and other instruments necessary or convenient to the exercise of its powers.

(b) To make, and from time to time amend and repeal by-laws, rules and regulations consistent with this act to carry into effect the powers and purposes hereof.

(c) To select and appoint such officers, agents, counsel and employees, permanent and temporary, as it may require, and determine their qualifications, duties and compensation.

(d) Within the redevelopment area or for purposes of redevelopment: to purchase, lease, obtain option upon, acquire by gift, grant, bequest, devise or otherwise, any real or personal property, or any estate or interest therein, together with any improvements thereon; to acquire by the exercise of the power of eminent domain any real property or any estate or interest therein although temporarily not required to achieve the purposes of this act; to clear, demolish or remove any and all buildings, structures or other improvements from any real property so acquired; to rehabilitate or otherwise improve any or all substandard buildings, structures, or other improvements; to insure or provide for the insurance of any real or personal property or operations of the agency against risk or hazard; and to rent, maintain, rehabilitate, improve, manage, operate, repair and clear such property.

(e) To develop as a building site or sites any real property owned or acquired by it.

(f) To cause streets and highways to be laid out and graded, and pavements or other road surfacing, sidewalks and curbs, public utilities of

every kind, parts, playgrounds and other recreational areas, off-street parking areas and other public improvements to be constructed and installed.

(g) To prepare or have prepared all plans necessary for the redevelopment of blighted and substandard areas; to obtain appraisals and title searches; to make investigations, studies and surveys of physical, economic, and social conditions and trends pertaining to a community; to develop, test and report methods and techniques and carry out research and other activities for the prevention and the elimination of blighted and substandard conditions and to apply for, accept and utilize grants of funds from the Federal Government and other sources for such purposes; to enter upon any building or property in any redevelopment area in order to make investigations, studies and surveys, and, in the event such entry is denied or resisted, an agency may petition the Superior Court in and for the county in which the land lies for an order for this purpose. Upon the filing of such a petition, due notice thereof shall be served on the person denying or resisting entry, and after hearing thereon, the court shall enter an order granting or denying the petition.

(h) To undertake technical assistance to property owners and other private persons to encourage, implement, and facilitate voluntary improvement of real property.

(i) To invest any funds held in reserves or sinking funds or any funds not required for immediate disbursement, in property or securities in which savings banks may legally invest funds subject to their control; to purchase its bonds at a price not more than the principal amount thereof and accrued interest, all bonds so purchased to be cancelled.

(j) To sell, lease, exchange, subdivide, transfer, assign, pledge, encumber (by mortgage, deed of trust or otherwise) or otherwise dispose of any real or personal property or any estate or interest therein acquired under the provisions of this act to the United States, the state government, any state public body or any private corporation, firm or individual at its fair value for uses in accordance with the redevelopment plan, irrespective of the cost of acquiring and preparing such property for redevelopment. In

determining the fair value of such property for uses in accordance with the redevelopment plan the agency shall take into account and give consideration to the uses and purposes required by such plan, the restrictions upon, and the obligations assumed by the purchaser or lessee of such property and the objectives of the redevelopment plan for the prevention of the recurrence of blighted and substandard conditions. Any lease or sale of such property may be made without public bidding provided, however, that no sale or lease shall be made until at least ten days after the legislative body of the community has received from the Agency a report concerning the proposed sale or lease.

(k) To obligate the purchaser or lessee of any real or personal property or any estate or interest therein: (1) to use such property only for the purpose and in the manner stated in the redevelopment plan; (2) to begin and complete the construction or rehabilitation of any structure or improvement within a period of time which the agency fixes as reasonable; and (3) to comply with such other conditions as in the opinion of the agency are necessary to prevent the recurrence of blighted and substandard conditions and otherwise to carry out the purposes of this act. The agency by contractual provisions may make any of the purchasers' or lessors' obligations, covenants or conditions running with the land, and may provide that upon breach thereof, the fee shall revert to the Agency.

(l) Nothing herein contained shall authorize an agency to construct any new buildings for residential, commercial, industrial or other uses contemplated by the redevelopment plan.

(m) Nothing herein contained shall authorize an agency to retain for a period in excess of 5 years from the date of acquisition or within such other additional period of time as the legislative body fixes as reasonable, the fee or any estate or interest therein to any building, structure or other improvement, not demolished or otherwise removed, which has been acquired by the agency in accordance with the redevelopment plan.

(n) To exercise all or any part or combination of the powers herein granted.

ARTICLE 7. REDEVELOPMENT REVOLVING FUND

Section 41. The legislative body of any community, at any time after it has adopted a resolution declaring that there is need for an agency to function in the community, may establish a redevelopment revolving fund. For the purpose of raising moneys to be deposited in such fund, the community may appropriate tax money or other funds and/or issue and sell its general obligation or revenue bonds, and said moneys shall be used to effectuate the purposes and the provisions of this act upon resolution of the legislative body.

The legislative body may also authorize the issuance of general obligation or revenue bonds to provide moneys to be used by the agency to carry out a redevelopment plan for a specific project area and shall provide that any portion of the proceeds of the sale of said bonds not required to carry out said redevelopment plan shall be returned to the community and shall be used to pay the principal and interest on any bonds of said issue outstanding and any surplus then remaining shall be transferred to the bond redemption fund of the community.

Such bonds shall be issued and sold at such times, in such amounts, with such maturities and other terms and in such form as the legislative body shall determine. Irrespective of any limitation, by general or special law, as to the amount of such bonds which may be issued, a community may issue such bonds, for the purposes defined by this section, in excess of such limitation in such amount as may be approved by the voters of such community at any general or special election, and all bonds issued under this section shall be exempted from the operation of section 25 of chapter 329 of the general laws of 1932, as amended. The community shall annually appropriate a sum sufficient to pay the interest upon its general obligation bonds issued and outstanding under the authority of this section, and also to pay the principal of such bonds maturing in any such year, until said bonds are paid in full. This section shall constitute statutory approval for the incurring of debt for the purposes of this act wherever such approval is required by any general or special law.

Section 42. The legislative body of any community may abolish the redevelopment revolving fund whenever it shall find that the purposes for which such fund was established have been accomplished. At the time of abolishing such fund, the legislative body shall transfer all moneys therein to the general obligation bond redemption fund and shall provide that all moneys thereafter to be deposited or redeposited in the redevelopment revolving fund shall be deposited in such general obligation or revenue bond redemption fund. Any surplus existing in such general obligation or revenue bond redemption fund after payment of principal and interest shall be transferred to the general fund of the community.

Section 43. Any community in this state is authorized to appropriate moneys raised by taxes or other funds, including but not limited to funds in the Redevelopment Revolving Fund and to borrow money as provided in this act and may lend or give the same to any redevelopment agency established by it for the purpose of acquiring property in any project area or for the clearance and preparation of any project area for redevelopment or for financing or otherwise assisting in the carrying out of any redevelopment plan or to effectuate the purposes and provisions of this act.

ARTICLE 8. REDEVELOPMENT PLANS

Section 44. The redevelopment agency may of its own motion, or shall at the direction of the legislative body, select one or more project areas comprising all or a portion of a redevelopment area, and formulate a redevelopment plan for each such project area. Redevelopment plans may be prepared by the planning commission in the event the members of the agency have not been appointed or at the request of the agency.

Section 45. All redevelopment plans shall be submitted to the legislative body by the redevelopment agency. Every redevelopment plan shall conform to the master or general community plan insofar as the latter applies to the redevelopment area. The agency shall consult with the planning commission of the community in formulating redevelopment plans before their submission to the legislative body. Whenever a redevelopment plan is submitted

to the legislative body, a copy thereof shall be submitted to the planning commission which shall report to the legislative body within thirty days on the redevelopment plan and its conformity to the master or general plan of the community.

Section 46. The redevelopment plan shall include, without limitation, the following:

- (a) A description of the boundaries and location of the project area;
- (b) A description of the existing blighted and substandard conditions in the project area;
- (c) A plan describing proposed land uses in the project area;
- (d) Proposed standards of population densities, land coverage and building intensities;
- (e) A description of proposed changes in streets and utilities;
- (f) A description of proposed changes in zoning or exceptions, variances, or modifications thereto;
- (g) A general statement showing that the proposed redevelopment plan conforms to the master or general community plan;
- (h) A statement showing the lands in the project area to be acquired and buildings and structures to be demolished and removed;
- (i) A general statement of proposed conditions, covenants, and other restrictions controlling the disposal and future use of land and buildings in the project area;
- (j) A general statement of the extent of relocation resulting from the proposed redevelopment of the area and the proposed method for rehousing of displaced persons;
- (k) A statement of the estimated cost of carrying out the redevelopment plan, and a description of the method of financing the proposed redevelopment project;
- (l) A general statement showing how the purposes of this act would be attained by such redevelopment.

Section 47. A redevelopment plan may, without limitation, provide for the following:

(a) A program of voluntary repair and rehabilitation of buildings and other improvements within the project area in accordance with the redevelopment plan; and/or

(b) Acquisition of single or scattered parcels of real property within the project area and demolition or removal of buildings or improvements thereon where necessary to eliminate unhealthful, insanitary, or unsafe conditions, lessen density, reduce traffic hazards, eliminate obsolete or other uses detrimental to the public health, safety, morals or welfare, or otherwise to remove or prevent the spread of blight or deterioration, or to provide land for needed community facilities.

ARTICLE 9. ADOPTION OF REDEVELOPMENT PLAN

Section 48. Upon submission to the legislative body of a redevelopment plan the legislative body or the committee thereof to which the plan has been referred shall set a time and fix a place for a public hearing on the adoption of such a plan. The time of hearing shall be not more than 60 days after receipt by the legislative body of the redevelopment plan from the agency. Notice of said hearing shall be given by publication in a newspaper in the same manner and to the same extent as provided for publication of notice in section 27.

Section 49. At the hearing the legislative body or the committee thereof to which the plan has been referred shall consider the plan and report, if any, of the planning commission, and any recommendations the agency may make, and shall take such other evidence and testimony as may be presented concerning the matters under consideration.

Section 50. If the legislative body determines that the redevelopment plan is feasible and conforms to the general plan for the community, and that if carried out would promote the public health, safety, morals and welfare of the community and would effectuate the purposes of this act, then the legislative body may adopt the plan by ordinance.

Section 51. If the plan provides for the expenditure of any money by the community, the legislative body shall provide for such expenditure at the time or in connection with the approval of the plan, provided, however, that nothing herein contained shall enlarge the power of a town council to make an appropriation which has not been approved by a financial town meeting.

Section 52. If the plan provides for the opening, closing, widening, or changing the grade of existing streets or alleys or any other modification of the existing street layout in the project area, the legislative body shall declare its intention to institute proceedings therefor at the time or in connection with the adoption of the plan.

Section 53. If the plan provides for the condemnation of any real property, the legislative body shall not adopt the plan unless it contains adequate provisions for payment for property so acquired as provided by law.

Section 54. If the plan provides for financial aid from the Federal Government, such provision of the plan shall not be approved by the legislative body unless it finds that the financial aid from the Federal Government provided for in the plan is necessary to enable the land in the project area to be redeveloped in accordance with the redevelopment plan.

Section 55. No plan shall be approved unless it provides for the retention of controls and the establishment of any restrictions or covenants which may run with the real property sold, leased or otherwise disposed of for private or public use for such periods of time and under such conditions as in the judgment of the legislative body are necessary to effectuate the purposes of this act.

Section 56. The adoption of a redevelopment plan by a legislative body shall be by ordinance. Such ordinance shall:

- (a) Designate the project by area, name and number.
- (b) Include findings that the project area is blighted and substandard and requires clearance, replanning, redevelopment, rehabilitation or improvement or any combination thereof.

(c) Set forth the purposes and intent of the legislative body with respect to the project area.

(d) Refer specifically to the determinations required in other sections of this article.

(e) Incorporate by reference the redevelopment plan.

(f) Designate the approved plan as the official redevelopment plan for the project area.

Section 57. After enactment of such ordinance the responsibility for carrying out the plan shall vest in the agency.

Section 58. Upon the adoption of the redevelopment plan, further proceedings with reference to the redevelopment of the project area may be commenced immediately by the agency. Actions to contest the validity of the proceedings prescribed by the foregoing provisions of this article must be commenced within 30 days after the adoption of the redevelopment plan, and no action thereafter commenced shall raise any question concerning the validity of the proceedings and the adoption of the redevelopment plan provided for in the foregoing provisions of this act. After the expiration of said period of 30 days, the validity of the proceedings and the adoption of the redevelopment plan shall be conclusively presumed. Any petition to stay the agency from proceeding with the redevelopment plan shall be assigned for hearing by the superior court of the county within which the land lies within seven days from the date of filing and all proceedings hereunder shall take precedence over all civil suits then pending before said court. The court, after formal hearing, may deny the petition or enjoin the agency from proceeding further, in whole or in part, or may make such other order as it deems appropriate.

Section 59. Upon the recommendation of the agency a redevelopment plan may be modified at any time by the legislative body or ^{/by} the legislative body at its own discretion. The legislative body may at its discretion hold a public

property, plus the payment of any other assessment constituting a lien on the property taken, shall discharge and release the owner on the date of assessment from further liability with respect to taxes assessed against the real property taken, and thereafter the agency shall be responsible for the payment of such taxes.

ARTICLE 12. EMINENT DOMAIN PROCEEDINGS

Section 64. Notwithstanding the provisions of any other law, each agency shall have the right to acquire all or any part of the real property or any estate or interest therein within a project area, by the exercise of the power of eminent domain, whenever it shall be judged by the agency that the acquisition of the real property or any estate or interest therein is in the public interest and necessary for the public use. The necessity for such acquisition shall be conclusively presumed upon the adoption by the agency of a resolution which shall:

- (a) Contain a description of the real property or any estate or interest therein sufficient in detail to permit an identification thereof.
- (b) Declare that the acquisition of the real property or any estate or interest therein is in the public interest and necessary for the public use.
- (c) State that said real property or any estate or interest therein is included in a redevelopment project approved under this act.

Section 65. Within six months thereafter, the agency shall cause to be filed in the land evidence records of the city or town where the real property is located:

- (a) A copy of the aforesaid resolution.
- (b) A plat showing the real property taken or affected.
- (c) A declaration signed by the chairman or vice chairman, that the real property or estate or interest therein, is taken pursuant to the provisions of this act and indicating the nature and extent of the estate or interest in said real property taken as aforesaid.

Section 66. Thereupon the agency shall file in the superior court in and for the county in which the real property lies a statement of the sum of money estimated by said agency to be just compensation for the property taken, and shall deposit in the superior court to the use of the persons entitled

thereto the sum set forth in said statement or a greater or lesser sum in accordance with an order by the court determining the sum which should be considered sufficient to satisfy the claims of all persons having an estate or interest in such real property.

Section 67. Upon the filing of the copy of such resolution, plat and declaration in the land evidence records of the city or town and upon the making of deposit in accordance with the order of the superior court, title to the said real property in fee simple absolute or such lesser estate or interest therein as is specified in said declaration, shall vest in the agency, and said real property shall be deemed to be condemned and taken for the use of the agency, and the right to just compensation for the same shall vest in the persons entitled thereto.

Section 68. After the filing of such resolution, plat and declaration, the secretary of the agency shall cause a copy of such resolution and declaration to be published in some newspaper published in the county where said real property lies, at least once a week for three successive weeks.

Section 69. No sum so paid into the court or any interest paid thereon shall be charged with clerk's fees of any nature. After the filing of the copy of the resolution, plat and declaration, notice of such taking shall be served upon the owners of or persons having any estate or interest in such real property by the sheriff or his deputies of the county in which said person or persons reside, by leaving a copy attested by the secretary of the agency of such resolution and declaration with each of such persons personally, or at their last and usual place of abode in this state with some person living there, and in case any such person or persons shall not reside in the county where the property is situated or are absent from this state and have no last and usual place of abode therein occupied by any person, such copy shall be left by the sheriff or his deputies of the county where the real property lies with the person, if any, in charge of or having possession of such real property if the same is known to said officer. Whenever any owner or person entitled to any estate in or any interest in any part of the real property taken resides or is without the state, the agency

shall cause to be served on each such person personally or at his last and usual place of abode a copy attested as aforesaid of such resolution and declaration by any disinterested person, which person shall make affidavit of the service thereof and of the mode in which, the time within, and the place at which the service has been made; or service thereof may be made by the admission of such service by said person on the back of a copy of such resolution and declaration and by his acknowledgement thereof before an officer authorized to administer oaths under the law of the place where such admission of service is acknowledged.

Section 70. If any person shall agree with the agency for the price of the real property, or estate or interest therein so taken, the court, upon application of all parties in interest may order that the sum agreed upon be paid forthwith from the money deposited, as the just compensation to be awarded in said proceedings, except as otherwise provided in section 34.

Section 71. Any owner of or persons entitled to any estate or interest in any part of the real property, and who cannot agree with said agency for the price of the real property, or estate or interest therein, so taken, may, within three months after notice of said taking, or, if he has no notice, may within one year from the first publication of the copy of such resolution and declaration referred to in this article, apply by petition to the superior court in and for the county in which such real property lies, setting forth the taking of his real property or estate or interest therein, and praying for an assessment of damages by such court. Upon filing of such petition the said court shall cause twenty days' notice of the pendency thereof to be given to such agency by serving a resident attorney of the agency with a certified copy thereof, and may proceed after such notice to the trial thereof. Such trial shall determine all questions of fact relating to the value of such real property, and any estate or interest therein, and the amount thereof. Upon the entry of judgement in such proceeding execution shall be issued against the money so deposited in court and in default thereof against any other property of said agency. In case two or more conflicting petitioners make claim to the same real property, or to any estate or interest therein, or to different estates

or interests in the same real property, said court upon motion may consolidate their several petitions for trial at the same time, and may frame all necessary issues for the trial thereof. All proceedings taken pursuant to the provisions of this act shall take precedence over all civil matters pending before said court, or if the superior court in and for the county in which such real property lies, be not in session in such county, then the same may be heard in the superior court for the counties of Providence and Bristol.

In any proceedings for the assessment of damages for real property so taken by any agency the following provisions shall be applicable:

(a) Upon the application of any party in interest and upon joinder of all other parties in interest, the court, on such conditions as it may deem proper, may order that the money deposited in the court, or any part thereof, be paid forthwith without interest for or on account of the just compensation to be awarded in said proceeding. If the damages finally awarded in respect to said real property, or any part thereof, shall exceed the amount of the money so received by any person entitled thereto, the court shall enter judgment against the funds so deposited in court or in default thereof against other property of said agency for the amount of the deficiency plus interest on the deficiency and costs. If the judgment entered is less than the amount withdrawn, then and in that event judgment shall be entered for the agency for the difference between the amount withdrawn and the amount of the judgment plus interest on the overpayment and costs.

(b) At any time during the pendency of such action or proceeding, the agency or an owner may apply to the court for an order directing an owner or the agency, as the case may be, to show cause why further proceedings should not be expedited, and the court may upon application make an order requiring that the hearings proceed and that any other steps be taken with all possible expedition.

Section 72. The superior court shall have power to make such orders with respect to encumbrances, liens, taxes, and other charges on the land, if any, as shall be just and equitable.

Section 73. If any real property, or any estate or interest therein, in which any infant or other person not capable in law to act in his own behalf

is interested, is taken by such agency under the provisions of this act, said superior court, upon the filing therein of a petition by the agency or by or in behalf of such infant or person, may appoint a guardian ad litem for such infant or other person. Guardians may, with the advice and consent of said superior court and upon such terms as said superior court may prescribe, release to such agency all claims for damages for the loss of such infant or other person or for any such interest therein. Any lawfully appointed, qualified and acting guardian or other fiduciary of the estate of any such infant or other person, with the approval of a court of probate within this state having jurisdiction to authorize the sale of lands and properties within this state of any such infant or other person, may before the filing of any such petition, agree with such agency upon the amount of damages suffered by such infant or other person for any taking of his real property or of his interest therein, and may, upon receiving such amount, release to such agency all claims of damages of such infant or other person for such taking.

Section 7h. If any real property or any estate or interest therein is unclaimed or held by a person or persons whose whereabouts are unknown, after making inquiry satisfactory to the superior court for the county in which the real property lies the agency after the expiration of one year from the first publication of the copy of the resolution declaration referred to in Section 6b may petition such court that the value of the estate, or interest of such unknown person or persons be determined. After notice by publication to such persons as ordered by the Court and after hearing on said petition, the court shall fix the value of said estate or interest and shall order the agency to deposit said sum in the registry of such court in a special account to accumulate for the

benefit of the person, if any, entitled thereto. The agency making such deposit shall take the receipt of the clerk of the superior court therefor, and thereupon shall be discharged from all liability. When the person entitled to the money deposited shall have satisfied the superior court of his right to receive the same, the court shall cause it to be paid over to him, with all accumulations thereon.

Section 75. If any of the real property, estate or interest therein, included within the project area is devoted to a public use, it may nevertheless be acquired, and the taking shall be effective, provided that no real property or estate or interest therein belonging to a city or town or to the state government shall be acquired without its consent, and that no real property or estate or interest therein belonging to a public utility may be acquired without the approval of the division of public utilities or other officer or tribunal having regulatory power over such utility. Any real property or estate, or interest therein, already owned or acquired by the agency may nevertheless be included within such taking for the purpose of acquiring any outstanding interest in such real property.

Section 76. Whenever, from time to time the agency has satisfied the court that the amount deposited with the court is either greater than required or is insufficient to satisfy the claims of all persons interested in said real property, the court may order that the amount of any such excess shall be repaid to the agency or may order additional sums deposited as the court deems necessary. Whenever the agency has satisfied the court that the claims of all persons interested in the real property taken have been satisfied, the unexpended balance shall be repaid forthwith to such agency.

Section 77. "Owner" for the purposes of this article shall mean a

person having an estate, interest or easement in the real property or a lien, charge or incumbrance thereon.

ARTICLE 13. BONDS OF THE AGENCY

Section 78. An agency shall have power to issue bonds from time to time in its discretion, for any of its corporate purposes. An agency shall also have power to issue refunding bonds for the purpose of paying or retiring bonds previously issued by it. An agency may issue such types of bonds as it may determine, including bonds on which the principal and interest are payable:

(a) Exclusively from the income and revenues of the redevelopment project or projects financed with the proceeds of such bonds, or with such proceeds together with financial assistance from the city, state or Federal governments in aid of such projects;

(b) Exclusively from the income and revenues of certain designated redevelopment projects whether or not they were financed in whole or in part with the proceeds of such bonds;

(c) From its revenues generally;

(d) From any contributions or other financial assistance from the city, state or Federal governments; or

(e) By any combination of these methods. Any of such bonds may be additionally secured by a pledge of any revenues or by an encumbrance (whether by mortgage, deed of trust or otherwise) of any redevelopment project, projects or other property of the agency.

Neither the members of an agency nor any person executing the bonds shall be liable personally on the bonds by reason of the issuance thereof. The bonds and other obligations of any agency (and such bonds and other obligations shall so state on their face) shall not be a debt of the community, the state or any political subdivision thereof other than the agency and neither the community, nor the state or any political subdivision thereof other than the agency shall be liable thereon, nor in any event shall such bonds or obligations be payable out of any funds or properties other than those of said agency. The bonds shall not constitute an indebtedness within the meaning of any constitutional or statutory debt limitation or restriction.

Section 79. Bonds of an agency shall be authorized by its resolution and may be issued in one or more series and shall bear such date or dates, mature at such time or times, bear interest at such rate or rates, not exceeding six per cent (6%) per annum, be in such denomination or denominations, be in such form, either coupon or registered, carry such conversion or registration privileges,

have such rank or priority, be executed in such manner, be payable in such medium of payment, at such place or places, and be subject to such terms of redemption (with or without premium) as such resolution, its trust indenture or mortgage may provide.

The bonds may be sold at not less than par, at public sale held after notice published once at least five days prior to such sale in a newspaper of general circulation published in the community, or, if no such newspaper be published in the community, then in a newspaper of general circulation published in the county; provided, however, that such bonds may be sold at not less than par to the Federal government at private sale without any advertisement.

In case any of the members or officers of the agency whose signatures appear on any bonds or coupons shall cease to be such members or officers before the delivery of such bonds, such signature shall, nevertheless, be valid and sufficient for all purposes, the same as if they had remained in office until such delivery. Any provision of any law to the contrary notwithstanding, any bonds issued pursuant to this act shall be fully negotiable.

In any suit, action or proceedings involving the validity or enforceability of any bonds of an agency or the security thereof, any such bonds reciting in substance that they have been issued by the agency to aid in financing a redevelopment project shall be conclusively deemed to have been issued for a redevelopment project and said project shall be conclusively deemed to have been planned, located and constructed in accordance with the purposes and provisions of this act.

Section 30. In connection with the issuance of bonds, an agency, in addition to its other powers, shall have power:

(a) To pledge all or any part of its net rents, fees, or revenues to which its right then exists or may thereafter come into existence.

(b) To encumber (by mortgage, deed of trust or otherwise) all or any part of its real or personal property, then owned or thereafter acquired.

(c) To covenant against pledging all or any part of its rents, fees and revenues, or against encumbering all or any part of its real or personal property, to which its right or title then exists or may thereafter come into existence or against permitting or suffering any lien on such revenues or property; to covenant with respect to limitations on its right to sell, lease or otherwise dispose of any redevelopment project or any part thereof; and to covenant as to

what other, or additional debts or obligations may be incurred by it.

(d) To covenant as to the bonds to be issued and as to the issuance of such bonds in escrow or otherwise, and as to the use and disposition of the proceeds thereof; to provide for the replacement of lost, destroyed or mutilated bonds, to covenant against extending the time for the payment of its bonds or interest thereon; and to redeem the bonds, and to covenant for their redemption and to provide the terms and conditions thereof.

(e) To covenant as to the consideration or rents and fees to be charged in the sale or lease of a redevelopment project or projects, or any part thereof, the amount to be raised each year or other period of time by rents, fees and other revenues, and as to the use and disposition to be made thereof; to create or to authorize the creation of special funds for moneys held for redevelopment or other costs, debt service, reserves, or other purposes, and to covenant as to the use and disposition of the moneys held in such funds.

(f) To prescribe the procedure, if any, by which the terms of any contract with bondholders may be amended or abrogated, the amount of bonds the holders of which must consent thereto and the manner in which such consent may be given.

(g) To covenant as to the use of any or all of its real or personal property; and to covenant as to the maintenance of its real and personal property, the replacement thereof, the insurance to be carried thereon and the use and disposition of insurance moneys.

(h) To covenant as to the rights, liabilities, powers and duties arising upon the breach by it of any covenant, condition, or obligation; and to covenant and prescribe as to events of default and terms and conditions upon which any or all of its bonds or obligations shall become or may be declared due before maturity, and as to the terms and conditions upon which such declaration and its consequences may be waived.

(i) To vest in a trustee or trustees or the holders of bonds or any proportion of them the right to enforce the payment of the bonds or any covenants securing or relating to the bonds; to vest in a trustee or trustees the right, in the event of a default by said agency, to take possession of any redevelopment project or part thereof, and to collect the rents and revenues

If such receiver be appointed, he may enter and take possession of such redevelopment project or any part thereof and operate and maintain same, and collect and receive all fees, rents, revenues, or other charges thereafter arising therefrom, and shall keep such moneys in separate account or accounts and apply the same in accordance with the obligation of said agency as the court shall direct.

(c) To require said agency, and the members and employees thereof to account as if it and they were the trustees of an express trust.

Section 93. The bonds of an agency are declared to be issued for an essential public and governmental purpose, and together with interest thereon and income therefrom shall be exempt from all taxes.

Section 94. Notwithstanding any restrictions on investments contained in any laws of this state, the state and all public officers, municipal corporations, political subdivisions and public bodies, all banks, bankers, trust companies, savings banks and institutions, building and loan associations, savings and loan associations, investment companies, and other persons carrying on a banking business and all insurance companies, insurance associations and other persons carrying on an insurance business may legally invest any sinking funds, moneys or other funds belonging to them or within their control in any bonds or other obligations issued by an agency, as herein defined, and such bonds and other obligations shall be authorized security for all public deposits; it being one of the purposes of this act to authorize all persons, firms, corporations, associations, political subdivisions, bodies and officers, public or private, to use any funds owned or controlled by them including (but not limited to) sinking, insurance, investment, retirement, compensation, pension and trust funds, any funds held on deposit, for the purchase of any such bonds or other obligations; provided, however, that nothing contained in this act shall be construed as relieving any person, firm, or corporation from any duty of exercising reasonable care in selecting securities.

ARTICLE 14. EXEMPTION FROM EXECUTION

Section 95. All real property of an agency shall be exempt from levy and sale by virtue of an execution except as provided in Articles 12 and 13 hereof and no execution or other judicial process shall issue against the same

nor shall any judgment against an agency be a charge or lien upon its real property; provided, however, that the provisions of this article shall not apply to or limit the right of obligees to foreclose or otherwise enforce any mortgage, deed of trust or other encumbrance of an agency or the right of any obligee to pursue any remedies for the enforcement of any pledge or lien given by an agency on its rents, fees, or revenues.

ARTICLE 15. AID FROM FEDERAL OR STATE GOVERNMENT

Section 36. In addition to the powers conferred upon an agency by other provisions of this act, an agency is empowered to borrow money or accept financial or other assistance from the Federal or state government or any state public body for or in aid of any redevelopment project, and to such ends comply with any conditions attached thereto, not inconsistent with the purposes of this act.

ARTICLE 16. COOPERATION BY STATE PUBLIC BODIES

Section 37. For the purpose of further aiding and cooperating in any redevelopment project of an agency, any state public body may upon such terms, with or without consideration, as it may determine:

(a) Dedicate, sell, convey or lease any of its interest in any property, or grant easements, licenses or any other rights or privileges therein to an agency;

(b) Cause parks, playgrounds, recreational, community, educational, water, sewer or drainage facilities, or any other works which it is otherwise empowered to undertake, to be furnished in connection with a redevelopment project;

(c) Furnish, dedicate, close, pave, install, grade, regrade, plan or replan public streets or ways or other public places which it is otherwise empowered to undertake;

(d) Plan or replan, zone or rezone any part of the area within the jurisdiction of the state public body; make exceptions and variances from building and zoning regulations and ordinances;

(e) Cause services to be furnished to the agency of the character which the state public body is otherwise empowered to furnish.

(f) Enter into agreements with respect to the exercise by such state public body of its powers relating to the repair, closing or demolition of unsafe, unsanitary or unfit dwellings;

(g) Incur the entire expense of any public improvements made by such state public body in exercising the powers granted in this section;

(h) Lend, grant or contribute funds to a redevelopment agency or enter into agreement with the redevelopment agency or other public body to furnish funds or other assistance; and

(i) Do any and all things necessary or convenient to aid and cooperate in the redevelopment of a redevelopment area.

Any sale, conveyance, lease or agreement provided for in this section may be made by a state public body without appraisal, public notice, advertisement or public bidding.

ARTICLE 17. CONTRACTS FOR WORK

Section 88. All work of grading, clearing, demolition, improvement, repair or construction of a value of more than one thousand (\$1,000) dollars undertaken by the agency shall be done by contract which said contract shall be subject to the terms and conditions of chapter 290 of the general laws, 1938 and additions and amendments thereto.

Notwithstanding the provisions of this section or any other law, the agency may agree to any conditions attached to financial assistance from the Federal Government relating to the determination of prevailing salaries or wages or compliance with labor standards, and include in any contract let in connection with a redevelopment project, stipulations requiring that the contractor and any subcontractors comply with such conditions as to minimum salaries or wages and maximum hours of labor.

ARTICLE 18. COOPERATION BETWEEN COMMUNITIES

Section 89. Two or more communities may jointly exercise the powers granted under this act and in such case the planning commissions, legislative bodies, and agencies may hold joint hearings and meetings, or the legislative bodies of the communities acting separately may each designate the agency of one of the communities to act as the agency of all of the communities interested. In this event the agency designated shall cooperate with the planning commission of each community in formulating redevelopment plans, and whenever a redevelopment plan is submitted to the legislative body each planning commission shall report to the legislative body of its community within 30 days on the redevelopment plan and its conformity to the master or general plan of the community.

The legislative body of any community may by resolution consent to the inclusion of a part of the area under its jurisdiction in a contiguous project area to be developed by another community.

ARTICLE 19. MISCELLANEOUS PROVISIONS

Section 90. Chapter 257h of the public laws of 1950 is hereby repealed; provided that such repeal shall not affect the existence or continuance of any redevelopment agency, created in a community in accordance with the provisions of chapter 1302 of the public laws of 1946, as amended, and chapter 257h of the public laws of 1950, which heretofore has been authorized to transact business and exercise powers thereunder; and provided further that such repeal shall not affect the provisions of section 91. Any such redevelopment agency shall be and constitute the redevelopment agency for such community within the meaning of this act and shall have all of the rights, powers, duties and exemptions provided for a redevelopment agency hereunder, and, notwithstanding any other provision of this act, no other redevelopment agency shall be created for such community. Nothing contained in this act shall affect the term of office of any member of a redevelopment agency heretofore appointed, but members of such agency hereafter appointed shall be designated to serve for terms of five years, except that vacancies shall be filled for the unexpired terms, as herein provided.

All ordinances, resolutions, official acts and determinations and all other actions and proceedings heretofore taken or purporting to have been taken under and pursuant to chapter 1302 of the public laws of 1946, as amended, and chapter 257h of the public laws of 1950, by any community or redevelopment agency are hereby ratified, confirmed and declared legal in all respects and shall continue in effect under the provisions of this act. The creation, establishment and organization of any redevelopment agency authorized, or purporting to have been authorized, to transact business and exercise powers under chapter 1302 of the public laws of 1946, as amended, and chapter 257h of the public laws of 1950, are hereby ratified, confirmed and declared legal in all respects.

Section 91. Nothing contained in this act shall affect the right of an agency to continue and carry out to completion any redevelopment project for which a redevelopment plan has been approved by the legislative body of the community under the provisions of chapter 257h of the public laws of 1950 prior to the effective date of this act and the provisions

of chapter 257h of the public laws of 1950 shall remain in full force and effect and applicable to such project or projects. Nothing herein contained shall affect the rights of any person, firm or corporation heretofor acquired against an agency.

Section 92. All proceedings heretofore taken by a legislative body of a community authorizing the issuance of bonds of a community to provide funds for a redevelopment revolving fund under section 46 of chapter 1302 of the public laws of 1946, as amended, or for a redevelopment revolving fund under section 49 of the chapter 257h of the public laws of 1950, where the issuance of said bonds have been approved by the voters of the community, are hereby ratified, confirmed and declared legal in all respects and the issuance of any bonds so authorized is hereby approved and reauthorized, notwithstanding the repeal of chapter 1302 of the public laws of 1946, as amended, or of chapter 257h of the public laws of 1950, and notwithstanding the provisions of the charter of any community or of any general or special law.

Section 93. If any provision of this act, or the application thereof to any person or circumstance, is held invalid, the remainder of the act, or the application of such provision to other persons or circumstances, shall not be affected thereby.

Section 94. This act shall take effect upon its passage and all acts and parts of acts inconsistent herewith are hereby repealed.

THE CITY OF PROVIDENCE
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

RESOLUTION OF THE CITY COUNCIL

No. 121

Approved February 20, 1956

Resolved,

That the City Solicitor be and he hereby is authorized and directed to appear before the 1956 Session of the General Assembly and urge passage of an Act authorizing cities and towns to exempt from taxation structures devoted to off-street parking purposes, substantially in accordance with the accompanying draft Act.

IN CITY COUNCIL

FEB 16 1956

READ and PASSED

Angela Tully.....
President
Wesley Whitman
Clerk

APPROVED

FEB 20 1956

Angela Tully.....
ACTING MAYOR

RESOLUTION
OF THE
CITY COUNCIL
AUTHORIZING CITIES AND TOWNS
TO EXEMPT OFF-STREET PARKING
STRUCTURES FROM TAXATION.

IN CITY
COUNCIL

JAN 19 1956

RECEIVED
FINANCE
JAN 19 1956

*Proposed under a Committee
1/30/56*

Recommendation to the Board

*(Verification of the
Board's Resolution 1/30/56
to exempt off-street parking
structures from taxation)*

*Mayor [Signature] and [Signature]
City Clerk [Signature] 1/30/56*

State of Rhode Island &c.

In General Assembly

January Session, A.D. 1934

A N A C T

**AUTHORIZING CITIES AND TOWNS TO EXEMPT OFF-STREET PARKING
STRUCTURES FROM TAXATION.**

It is enacted by the General Assembly as follows:

SECTION 1. The town or city council of any town or city, by resolution or ordinance passed and approved within a period of six years from the effective date of this act, may exempt from taxation for a period not exceeding twelve (12) years, any structure above or under the ground which may hereafter be constructed and located in such town or city and used by the public for the parking of automobiles off the street or highway, provided the construction of such structure results in at least a two hundred (200%) percent increase in the parking capacity of the premises as they existed prior to erection of such structure, and provided further that the exemption shall be limited to that portion of the structure exclusively used for or devoted to the parking of automobiles and vehicles of that nature.

SEC. 2. This act shall take effect upon its passage and all acts, or parts of acts, inconsistent herewith, are hereby repealed.

THE CITY OF PROVIDENCE
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

RESOLUTION OF THE CITY COUNCIL

No. 122

Approved February 20, 1956

Resolved,

That the Traffic Engineer be and he hereby is requested to study the feasibility of authorizing all night parking on certain city streets, and to report back to the City Council.

IN CITY COUNCIL

FEB 16 1956

READ and PASSED

Angelo Piro.....
President
Verrett Whelan.....
Clerk

APPROVED

FEB 20 1956

Angelo Piro.....
ACTING MAYOR

RESOLUTION
OF THE
CITY COUNCIL

THE CITY OF PROVIDENCE
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

RESOLUTION OF THE CITY COUNCIL

No. **123**

Approved February 20, 1956

Resolved,

That the City Collector be, and he hereby

is, authorized and directed to abandon, as uncollectible, those certain taxes due the City of Providence as contained in this list.

Code #19-470-305
William H. Spivey and wife Lillian V.
c/o James H. Morris Co.
15 Westminster Street
Providence, Rhode Island

<u>YEAR</u>	<u>PLAT</u>	<u>LOT</u>	<u>AMOUNT</u>
1954	69	154	\$.97 Bal.
1954	69	155	4.80 "

Taxes prorated at time of sale to the City of Providence

Code #04-231-700
Fabiano DeQuattro and wife Grazia
37 Huxley Avenue
Providence, Rhode Island

<u>YEAR</u>	<u>PLAT</u>	<u>LOT</u>	<u>AMOUNT</u>
1954	69	170	\$.95 Bal.
1954	69	196	19.35 "
1954	69	197	2.17 "

Taxes prorated at time of sale to the City of Providence

Code #13-144-600
Antonio Marcaccio Inc.
76 Dorrance St., Rm. 510
Providence, Rhode Island

<u>YEAR</u>	<u>PLAT</u>	<u>LOT</u>	<u>AMOUNT</u>
1954	69	199	\$2.18 Bal.

Taxes prorated at time of sale to the City of Providence

Code #03-508-900
Commercial Realty Co.
477 Smith Street
Providence, Rhode Island

<u>YEAR</u>	<u>PLAT</u>	<u>LOT</u>	<u>AMOUNT</u>
1954	69	186	\$76.92 Bal.

Taxes prorated at time of sale to City of Providence

IN CITY COUNCIL

FEB 16 1956

READ and PASSED

Angelus Diello
President
Everett Whelan
Clerk

APPROVED

FEB 20 1956

Angelus Diello
ACTING MAYOR

RESOLUTION
OF THE
CITY COUNCIL