

# City of Providence

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

## CHAPTER 2008-48

No. 453

**AN ORDINANCE** AMENDING CHAPTER 23 OF THE PROVIDENCE CODE OF ORDINANCES, ENTITLED "STREETS, SIDEWALKS AND PUBLIC PLACES", ARTICLE I, TO ADD SECTIONS RELATING TO UTILITY SERVICES

Approved December 12, 2008

*Be it ordained by the City of Providence:*

SECTION 1. The Code of Ordinances of the City of Providence, Chapter 23, entitled "Streets, Sidewalk and Public Places," Article I, "In General," is hereby amended to add the following sections:

**Section 23-33. Utility services.** No utility company or affiliated company shall install any meter, meter equipment or regulator anywhere on the exterior of any residential structure without the prior signed and/or written consent of the property owner. Such consent cannot be presumed from the property owner's acceptance of gas, electrical, water, telecommunications or other utility services.

**Section 23-34. Enforcement of interior placement obligations.** Any utility company or affiliated company which shall install a meter, meter equipment or regulator anywhere on the exterior of any residential structure without the prior signed and/or written consent of the property owner may be required to appear in the Providence Housing Court upon a citation issued by the Providence Department of Inspections & Standards. The Housing Court shall have jurisdiction and authority to impose a fine of up to \$250.00 per residential structure, in addition to requiring the utility company or affiliated company to restore any damage to the property, including damage to landscaping.

**Section 23-35. Utility Permits.** Prior to any utility company or affiliated company applying for or receiving a permit to alter, install, or upgrade equipment located upon or under any public street or sidewalk, or upon or under any private property, the utility company or affiliated company must submit a project plan as follows:

- 1) For projects located within historic areas, defined as National Register Historic Districts or Local Historic Districts, a plan must be submitted to the Department of Planning & Development for review. Such plan must include a detailed description of the proposed work and must adhere to standards set forth by the Department based on its historic preservation design guidelines.
- 2) For projects located outside historic areas, a plan must be submitted to the Department of Planning & Development for review. Such plan must include a detailed description of the proposed work and must adhere to the guidelines set forth in the Comprehensive Plan.
- 3) The Department of Planning & Development shall submit its recommendations to the City Council no later than 30 days of receipt of such plan. The City Council shall act upon the plan no later than 30 days of receipt of the Department's recommendations.
- 4) The provisions of Section 23-35 shall apply whenever a utility company or affiliated company seeks to initiate construction in an area that includes multiple properties, for instance, a street or section of a street, a block or section of a block, or multiple streets and/or blocks.
- 5) Upon approval by the City Council of the submitted plan, the City Council shall notify the Department of Public Works of such approval.
- 6) The provisions of Section 23-35 shall not apply in the case of a utility emergency.

SECTION 2. This ordinance shall take effect upon passage.

IN CITY COUNCIL

NOV 20 2008

FIRST READING  
READ AND PASSED

Ann M. Steen CLERK

IN CITY

COUNCIL

DEC 4 2008

FINAL READING

READ AND PASSED

Richard J. Mancoske

PRESIDENT

Ann M. Steen  
CLERK

APPROVED

[Signature]  
MAYOR  
12/12/08