

CHAPTER 2017-4

**No. 58 AN ORDINANCE AMENDING CHAPTER 14, "LICENSES," TO ADD
ARTICLE XVI, ENTITLED, "MANAGEMENT AND OPERATIONS"**

Approved February 10, 2017

Be it ordained by the City of Providence:

SECTION 1. The Code of Ordinances of the City of Providence, Chapter 14, "Licenses," is hereby amended by adding the following article:

Article XVI. Management and Operations.

Sec. 14-311. License Administrator.

There shall exist a License Administrator, appointed by the mayor and who shall serve at the pleasure of the mayor. The License Administrator shall have the status of a department head and shall manage the Office of the Board of Licenses, direct licensing staff in their day-to-day duties, ensure that license application procedures maintain compliance with applicable laws, maintain a record of license violations, schedule pre-hearing conferences, coordinate the operation of the Office of the Board of Licenses with other city departments, fully prepare the Board for all matters which appear on the agenda, consult with the pre-hearing officer, oversee the enforcement of penalties and collection of fines, implement all changes to city ordinances and/or regulations, ensure compliance with the State of Rhode Island's Open Meetings Act, and perform any other duty which may from time to time be delegated to the License Administrator by the Board of Licenses provided, however, that the License Administrator does not become involved in the substantive decision-making of the Board of Licenses.

Sec. 14-312. Pre-Hearing Officer.

There shall exist in the Office of the Board of Licenses a Pre-Hearing Officer who shall report to the License Administrator. The Pre-Hearing Officer shall be responsible for matters that do not require a full hearing before the Board of Licenses and shall schedule a pre-hearing conference prior to a Show Cause Hearing, unless good cause exists or unless it is impractical to schedule a pre-hearing conference prior to the Show Cause Hearing. Nothing in this section shall be construed to prevent the Board of Licenses from acting on such matters brought to a pre-hearing conference or from having final decision-making authority over matters brought to a pre-hearing conference.

Sec. 14-313. Information Technology Specialist.

There shall exist in the Office of the Board of Licenses an Information Technology Specialist who shall report to the License Administrator. The Information Technology Specialist shall oversee and be responsible for all website, database, and public information tasks in the Office of the Board of Licenses, including but not limited to updating and maintaining a user-friendly website for the Board of Licenses.

Sec. 14-314. Record of Licensing Proceedings

All Board of Licenses hearings shall have a full and accurate record of the proceedings, whether by stenographic means or recording. All records of the proceedings shall be accessible to the public either through the Office of the Board of Licenses or online immediately following the conclusion of a hearing. Additionally, a complete, accurate, and up-to-date record of the history of a licensee's violations, fines, penalties, and decisions before the Board of Licenses and Department of Business Regulation shall be available to the Board of Licenses and the public prior to any hearing or meeting in which said licensee appears on the agenda.

Sec. 14-315. Required Training of Board Members and Staff

1. New members of the board. Any new member of the Board of Licenses shall be required to receive professional certified training on all relevant State statutes, City ordinances, and relevant rules and regulations, as well as ethics training and training on the Board of Licenses' Operations and Procedures Manual prior to their first meeting as a member of the board.
2. Mandatory annual training. All members of the Board of Licenses and all paid staff of the Office of the Board of Licenses shall be required to receive annual training in ethics and all relevant policies, procedures, laws, and ordinances.

Sec. 14-316. Annual Report.

It shall be the duty of the Chair of the Board of Licenses to submit an annual report to the Mayor and the City Council no later than January 31st of each calendar year. The annual report shall include, but shall not be limited to:

1. A breakdown of all licenses applications, approvals, transfers, and revocations from the past calendar year.
2. A breakdown of all complaints, violations, fines, and penalties issued in the past calendar year by licensee.
3. A breakdown of all appeals of Board of Licenses decisions, including outcomes.
4. All agendas from Board of Licenses meetings and hearings from the past calendar year.
5. A breakdown of any changes made to the Board of Licenses' Operations and Procedures Manual, with explanations, during the last calendar year.
6. An accounting of all fees and fines collected in the past calendar year, including any outstanding or unpaid fees and fines.
7. Any suggested changes to State statutes or City ordinances the members of the Board feel would improve the operations of the Board of Licenses or the Office of the Board of Licenses.

Additionally, annual reports shall be available to the public online and through the Office of the Board of Licenses.

Sec. 14-317. Decorum and Professional Conduct

All parties, attorneys, witnesses, and other persons at a hearing shall conduct themselves in a manner consistent with the standards of decorum commonly observed in any courtroom. Where such decorum is not observed, the Board Chair may take appropriate action, including ejection or adjournment, if necessary.

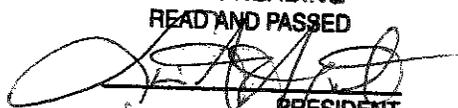
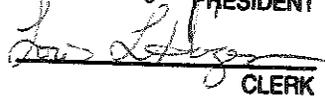
Sec. 14-318. Rules of Evidence

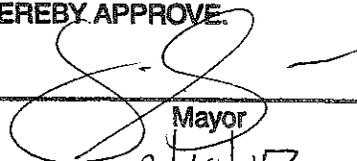
The Superior Court rules of evidence for civil cases, as interpreted and employed by the Department of Business Regulation in administrative hearings, shall be followed, and shall be implemented by the Chair of Board of Licenses in consultation with the Legal Counsel to the Board of Licenses, who shall be in attendance at all hearings to provide legal advice and guidance.

SECTION 2. This ordinance shall take effect upon passage.

IN CITY COUNCIL
JAN 19 2017
FIRST READING
READ AND PASSED

CLERK

IN CITY
COUNCIL
FEB 02 2017
FINAL READING
READ AND PASSED

PRESIDENT

CLERK

I HEREBY APPROVE


Mayor
Date: 2/10/17