

RESOLUTION OF THE CITY COUNCIL

No. 644

Approved November 22, 1996

RESOLVED, DECREED AND ORDERED:

That the following named street shown as cross-hatched area on the accompanying plan entitled: "Providence, RI Department of Public Works - Engineering Office, Street Line Section Plan No. 064571 dated November 14, 1995.

VIZ:

BAY STREET, (portions of), shown as cross-hatched area on accompanying plan and designated by the letters (A-B-C-D-A) having ceased to be useful to the public and is proposed to be abandoned as a Public Highway. Said Abandonment is specifically conditioned precedent upon the following: (1) Petitioner shall tender the amount of Ten Thousand Dollars (\$10,000.00) in legal tender U.S. to the City of Providence, (2) The petitioner shall convey an easement acceptable to the Providence Water Supply Board which will permit retention of its facilities in their existing location, together with the right to inspect, maintain, operate and replace the same and with twenty-four hour access to said facilities, or in the alternative should it be determined by the petitioner that any such facilities need be relocated in order to comply with an intended use, the petitioner shall assume all costs of relocation, (3) The petitioner shall convey an easement acceptable to the Narragansett Electric Company which will permit retention of its facilities in their existing location, together with the right to inspect, maintain, operate and replace the same and with twenty-four hour access to said facilities, or in the alternative should it be determined by the petitioner that any such facilities need be relocated in order to comply with an intended use, the petitioner shall assume all costs of relocation, (4) Petitioner shall undertake no construction in, about or upon said premises without the express written consent of the Chief of the Providence Fire Department. Additionally, Petitioner recognizes the existence of sprinkler connections necessary to the providence Fire Department and the Providence Fire Department shall have unimpeded access to said system and across the abandoned property twenty-four (24) hours per day. In the alternative, should the Chief of the Fire Department find that the creation of a "fire lane" so-called, is satisfactory for Department needs, then this condition shall be met by the creation of said fire lane, together with the assent of the petitioners thereto.

IN CITY COUNCIL

Nov. 2, 1995

FIRST READING

REFERRED TO COMMITTEE ON
PUBLIC WORKS

Michael R. Clemen CLERK

THE COMMITTEE ON

Pullin Stark

Recommends P.H.

Barbara A. Fawcett
Clerk

4/9/96 (Held)

THE COMMITTEE ON

Pullin Stark

Recommends

Certified

Barbara A. Fawcett
Clerk

5/8/96

THE COMMITTEE ON
PUBLIC WORKS

Approves Passage of
The Within Resolution

Barbara A. Fawcett
Clerk

10/10/96

From the Clerk: Desk

ORDERED, That the Traffic Engineer be and he is hereby directed to cause a sign to be placed on the above-named highway abandoned as aforesaid, having thereon the words, "Not a Public Highway," And it is further

ORDERED, That after the entry of this order or decree the City Clerk shall cause a notice thereof to be published in a newspaper, published in the County of Providence at least once a week for three successive weeks and a further and personal notice shall be served by the City Sergeant upon every owner of land abutting the above-named highway which has been abandoned, who is known to reside within the State.

IN CITY COUNCIL
NOV 21 1996
READ AND PASSED

Evelyn V. Fargnoli

PRES.

Michael R. Clement

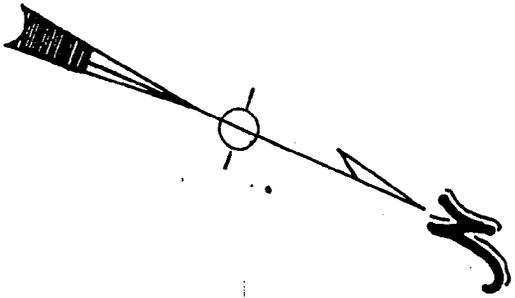
CLERK

APPROVED

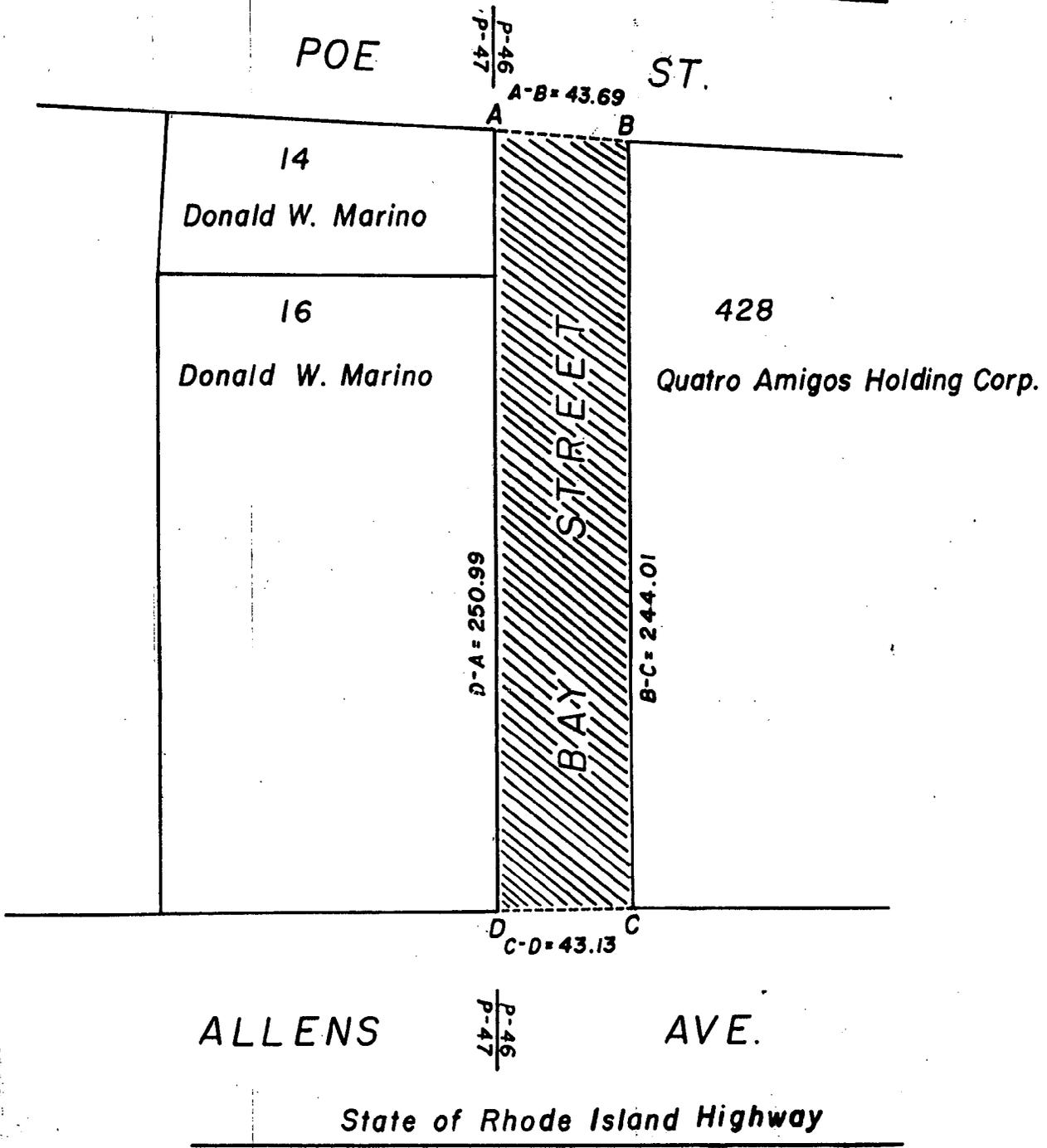
NOV 22 1996

Vincent A. Cianci

MAYOR



PROVIDENCE, R.I.
 P.W. DEPT. — ENGINEERING OFFICE
 STREET LINE SECTION
 Plan No. 064571
 Date NOV. 14, 1995



NOTES: Cross-Hatched Area (A-B-C-D-A) Indicates Proposed Abandonment of a Portion of a Bay St.

Total Square Footage = 10,674.68

Lot Numbers Taken From A.P. 46 & 47

CITY OF PROVIDENCE, R.I.
 Public Works Dept. Engineering Office
 Showing Proposed Abandonment of a Portion of Bay St.
 Drawn by Steve Z. Checked by J.A.M.
 Scale 1" = 50' Date 11-14-95
 Corrected by J.A.M. Associate Engr.
 Approved _____
 CHIEF ENGINEER

CITY OF PROVIDENCE
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

PETITION TO THE CITY COUNCIL

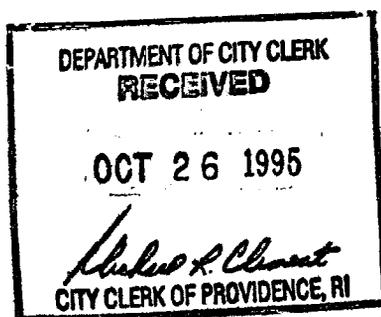
TO THE HONORABLE CITY COUNCIL OF THE CITY OF PROVIDENCE:

The undersigned respectfully petitions your honorable body

October 24, 1995

To abandon Bay Street between Poe Street and Allen's Avenue to the owners of the abutting property Plot 47, Lot #14 and #16 and Plot 46, Lot #428. The abutting properties are held in the name of Spur Track Properties LLC and Quatros Amigos Holding Corp. The principals of each are the same.

H. Charles Tapalian
245 ALLENS AV.
941-8310.



H. Charles Tapalian
Cheaters, Inc.
245 Allens Ave.
Prov. RI
\$429 Check #
Fleet Bank
\$75.00
Abandonment of
Bay St. between Poe St. & Allens Ave.

1511
OCT 26 10 11 AM '95
DEPT. OF
PROVIDENCE, R.I.

IN CITY COUNCIL
NOV 2 1995
FIRST READING
REFERRED TO COMMITTEE ON
PUBLIC WORKS

Michael R. Clement
CLERK

THE COMMITTEE ON
Paula Tarkenton
Recommends P.H.
Barbara A. Corwin
Clerk
4/9/96 (Held)

THE COMMITTEE ON
Paula Tarkenton
Recommends Certified
Barbara A. Corwin
Clerk
5/8/96

THE COMMITTEE ON
PUBLIC WORKS
Approves Passage of
The Within Resolution
Barbara A. Corwin
Clerk
10/10/96

From The Clerk Desk

THE CITY OF PROVIDENCE

CITY SERGEANT'S OFFICE

THIS IS TO CERTIFY, That I have caused the notice, of which a true copy is hereto annexed, to be served upon the following named persons, by handing to each of said persons, or by leaving at their last and usual place of abode in this State a true copy of said notice, to wit:

TO ABANDON A PORTION OF BAY STREET

<u>PLAT</u>	<u>LOT</u>	<u>NAME AND ADDRESS</u>
46	428	Quatro Amigos Holding Corporation P.O. Box 6684 Providence, RI 02940
47	14	Donald W. Marino 730 Laten Knight Road Cranston, RI 02921
47	16	Donald W. Marino (Same)
		State of Rhode Island Ms. Ann Hollands Room 317 State Office Building R.I.D.O.T. Providence, RI 02903

City Sergeant *Ralph F. G. Belanus*

Date *3/19/96*

Councilman John H. Rollins
Ward 10



DEPARTMENT OF PLANNING AND DEVELOPMENT

"Building Pride in Providence"

October 17, 1996

MEMORANDUM

DATE: October 17, 1996
TO : John D'Amico
FROM: William G. Floriani, Assistant Director
Project Management and Construction
RE : BAY STREET ABANDONMENT

John, Please be advised that my memo of April 9, 1996 takes precedence over the previous memo dated November 28, 1995 reference the Bay Street Abandonment.

If there are any problems receiving this fax transmission, please call

DATE: April 9, 1996

TO : Barbara Porier

FROM: William G. Floriani, Assistant Director
Project Management and Construction *WGF*

✓ RE : AP 47 and 46
BAY STREET ABANDONMENT

This value is subject to the utilities remaining and an easement for the utilities being granted. The property is zoned M-2.

10,980 s.f. @ \$1.50 per ft. = \$16,500.00

Check City Plan

RE : AP 32
PORTION GILBERT STREET

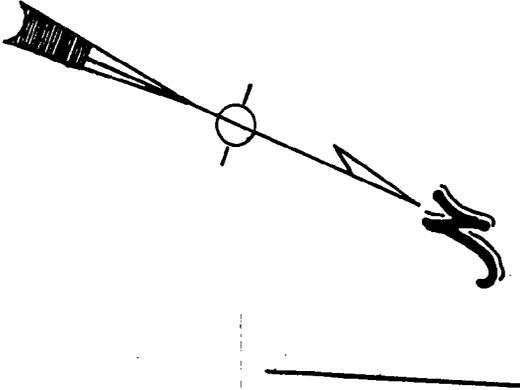
The value is subject to the utilities remaining and an easement being granted. The property is zoned R-3.

3,796 s.f. @ \$1.50 per ft. = \$5,700.00

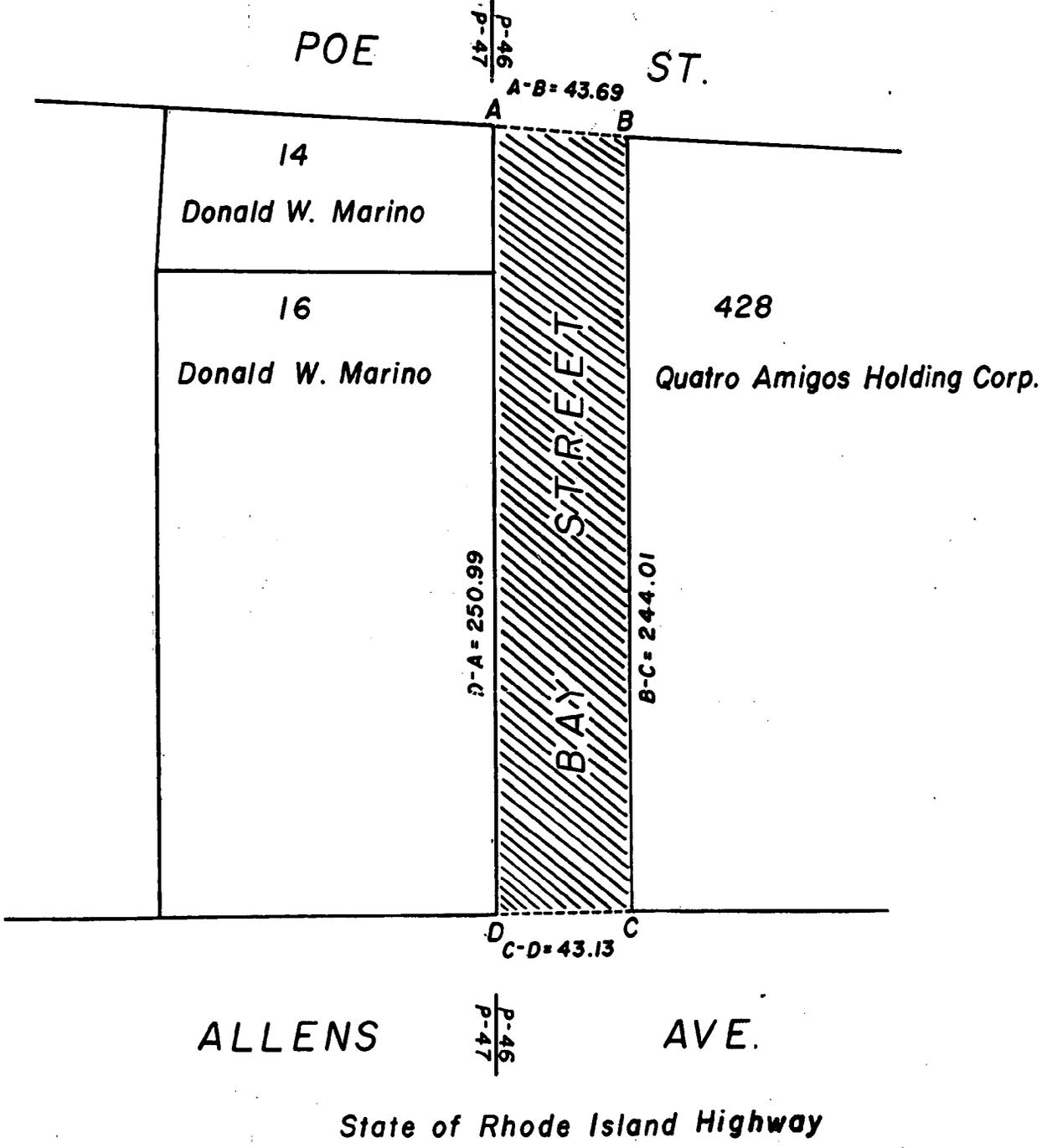
RE : GANGWAY (COMMODORE AND TOURO STREETS)

The value for this is subject to no utilities in the street and no easement being granted. This property is zoned R-3.

1,960 s.f. @ \$2.75 per ft. = \$5,880.00



PROVIDENCE, R.I.
 P.W. DEPT. — ENGINEERING OFFICE
 STREET LINE SECTION
 Plan No. 064571
 Date NOV. 14, 1995



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CITY OF PROVIDENCE, R.I.
 Public Works Dept. Engineering Office
 Showing: Proposed Abandonment of a Portion of Bay St.
 Drawn by Steve Z. Checked by J.A.M.
 Scale 1" = 50' Date 11-14-95
 Corrected by J.A. Marino Associate Engr.
 Approved _____
 CHIEF ENGINEER

PROPOSED ABANDONMENT OF A PORTION
OF BAY STREET

PLAT 46 LOT 428 QUATRO AMIGOS HOLDING CORP.

PLAT 47 LOT 14 DONALD W. MARINO

LOT 16 DONALD W. MARINO

STATE OF RHODE ISLAND

JOHN J. PARTINGTON
COMMISSIONER

COLONEL URBANO PRIGNANO, JR.
CHIEF OF POLICE



VINCENT A. CIANCI, JR.
MAYOR

Department of Public Safety, Police Department
"Building Pride in Providence"

November 14, 1995

The Honorable Robert M. Clarkin
Chairman-Committee on Public Works
Council Office
City Hall
Providence, RI 02903

Dear Councilman Clarkin:

I am in receipt of your resolution to abandon Bay Street between Poe Street and Allen's Avenue to the owners of the abutting property Plot 47, Lot #'s 14 and 16, and Plot 46, Lot #428.

Enclosed is a copy of a memorandum from Lieutenant Laorenza, Director, Traffic Bureau, regarding this matter.

As you can see, the Lieutenant can find no reason why the petition should not be granted.

If you require further assistance with this matter, please contact Lieutenant Laorenza at 272-3121, ext. 2133.

Sincerely,

A handwritten signature in black ink, appearing to read "Urbano Prignano, Jr.", is written over the typed name and title.

URBANO PRIGNANO, JR.
Colonel
Chief of Police

UP:lmi

Enclosure

PROVIDENCE POLICE DEPARTMENT

November 14, 1995

To: Colonel Urbano Frignano, Chief of Police

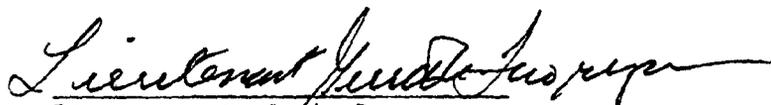
From: Lieutenant Guido A. Laorenza, Director of Traffic Bureau.

Subject: Report and Recommendation regarding the abandonment of Bay St.

Sir: As directed, I conducted a study of the petition to abandon Bay St.

At this time, I find no reason why the petition should not be granted.

Respectfully Submitted,



Lieutenant Guido A. Laorenza
Director
Traffic Bureau

JOHN J. PARTINGTON
COMMISSIONER

COLONEL URBANO PRIGNANO, JR.
CHIEF OF POLICE



VINCENT A. CIANCI, JR.
MAYOR

Department of Public Safety, Police Department
"Building Pride in Providence"

December 8, 1995

*Chalkstone
Bay*

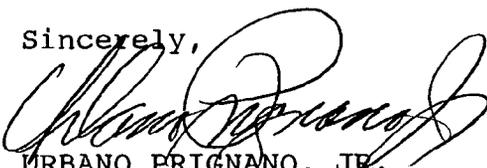
Councilman Robert M. Clarkin
Department of City Clerk
City Hall
25 Dorrance Street
Providence, RI 02903

Dear Councilman Clarkin:

Attached you will find correspondence from Lieutenant Guido Laorenza, Commanding Officer, Traffic Division, with regards to petitions of abandonment of Bay Street, a portion of Manilla Street and a portion of Chalkstone Avenue.

Lieutenant Laorenza finds that after conducting on-site studies of each location there is no reason not to grant petition of abandonment.

If you have any further questions regarding the aforementioned information, please contact Lieutenant Laorenza at 272-3121 ext. 2133.

Sincerely,

URBANO PRIGNANO, JR.
Colonel
Chief of Police

UP/kks

Attachments

PROVIDENCE POLICE DEPARTMENT
TRAFFIC BUREAU
LT. GUIDO LAORENZA

Nov. 29, 1995

TO: COLONEL URBANO PRIGNANO, CHIEF OF POLICE
FROM: LT. GUIDO LAORENZA, DIRECTOR, TRAFFIC BUREAU
SUBJECT: ABANDONMENT OF BAY ST.

SIR:

After conducting an on-site study of the Bay St. area, between Poe St.
and Allens Ave. our Office found no reason not to grant the petition.

A handwritten signature in black ink, appearing to read 'Lt. Guido Laorenza', with a long, sweeping horizontal line extending to the right.

Respectfully Submitted,

Lt. Guido Laorenza
Director Traffic Bureau

Vincent A. Cianci Jr.
Mayor

James F. Rattigan
Chief of Department

John J. Partington
Commissioner

David D. Costa
Fire Marshal



PROVIDENCE FIRE DEPARTMENT
FIRE PREVENTION DIVISION
"Smoke Detectors Save Lives"

August 7, 1996

Chairman
Committee on Public Works
City Hall
Providence, R.I. 02903

Re: Abandonment of Bay Street

Mr. Chairman,

Plans have been submitted to my office for renovations to 255 and 257 Allens Avenue, which abut both sides of Bay Street. Included in those plans is a parking schedule for the Bay Street property.

My office is currently working with the owners of the property to insure access is maintained for the fire department's sprinkler connections and they are cooperating.

To insure the fire departments' needs are complied with, I respectfully request restrictions be incorporated into the resolution that will require no parking as specified in yellow on the attached drawing.

If you have any questions, please call me at 421-8290.

David D. Costa
Fire Marshal

SPARKS - BUILDING
ABANDONMENT

1-20-1

257 ALLEN'S AVENUE
PLAT 47 LOT 16

FIRE DEPT
FIRE DEPT
SPRINKLER
CONNECTION

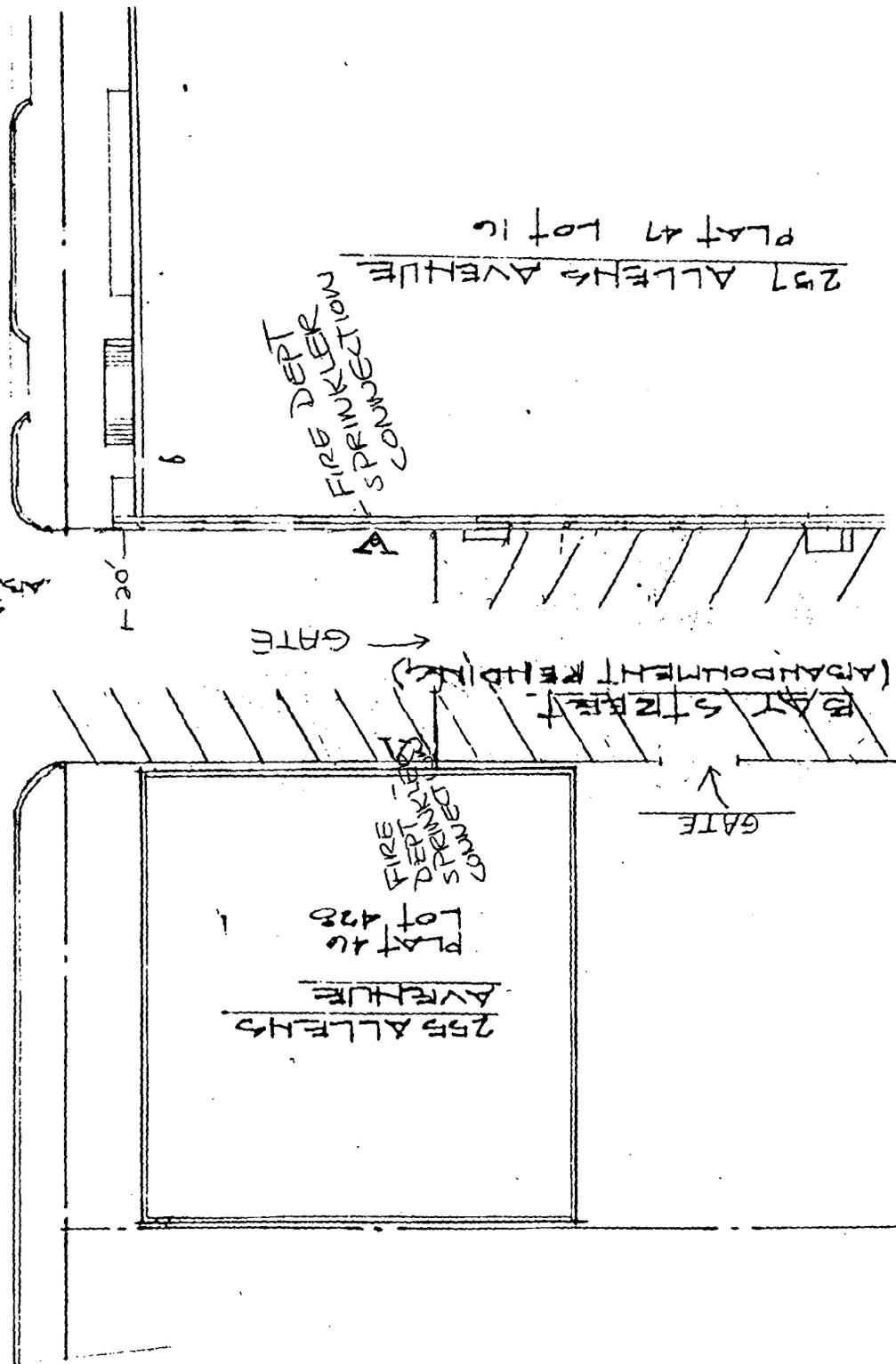
GATE

BAY STREET
(ABANDONMENT REMAINS)

GATE

255 ALLEN'S
AVENUE
PLAT 46
LOT 428

FIRE DEPT
FIRE DEPT
SPRINKLER
CONNECTION



Providence Fire Department

Division of Fire Prevention

209 Fountain Street

Providence, Rhode Island 02903-3255

(401) 421-8290



16 Nov 95

Councilman Robert M. Clarkin
Chairman-Comm. on Public Works
City Hall
Providence, RI 02903

Councilman Clarkin,

I have reviewed the request to abandon Bay Street between Poe Street and Allens Avenue. I do not object to abandoning the street, but I would request one stipulation.

Both properties that abut Bay Street have sprinkler connections which the Fire Department would need access to in the event of a fire at those locations. The sprinkler connections are on the Bay Street side of the buildings. I would request access from Allens Avenue be maintained to the point of the sprinkler connections (approx. 100 feet).

Respectfully submitted,

Act. Fire Marshal David D. Costa

PETITION TO THE CITY COUNCIL

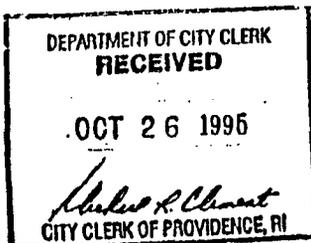
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October 24, 1995

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H. Charles Tapalian
245 ALLENS AV.
941-8310.



H. Charles Tapalian
Cheaters, Inc.
245 Allens Ave.
Prov. RI
\$429 Check #
Fleet Bank
\$75.00

Abandonment of
D. ... between Dr. ... & ...

B. JAMES SUZMAN

Director



VINCENT A. CIANCI, JR.

Mayor

Department of Public Works

"Building Pride In Providence"

November 28, 1995

Hon. Robert M. Clarkin ✓
Chairman of the Public Works Committee
Providence City Council
City Hall - Prov., R.I. 02903

Re: Proposed Abandonment
Portion/Bay Street
(Allens Ave. to Poe St.)

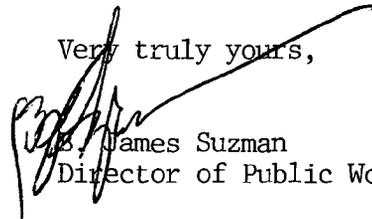
Dear Councilman Clarkin:

This department has no objection to the proposed abandonment of a portion of Bay Street, as noted as cross-hatched area on the enclosed plan, entitled "Providence, R.I., P.W. Dept./Engineering Office, Street Line Section, Plan No. 064571, Date:Nov. 14, 1995." Said cross-hatched area is designated by the letters "A", "B", "C", "D", "A", on the accompanying plan.

Enclosed find a list of abutting property owners taken from City of Providence, Assessor's Plat 46 and 47. It is noted that there are 10,674.68 square feet related to this proposed abandonment, and that there are so easements required.

If this department can further assist you in this regard, please advise.

Very truly yours,


B. James Suzman
Director of Public Works

CC: M.Clement. City Clerk
J. D'Amico, Law Dept.

G.F.
JTM
JLCDPW
S.Z.

PROPOSED ABANDONMENT OF A PORTION
OF BAY STREET

PLAT 46 LOT 428 CUATRO AMIGOS HOLDING CORP.

28747 LOT 14 DONALD W. MARINO

LOT 16 DONALD W. MARINO

STATE OF RHODE ISLAND

ARMANDO PARILLO
Chairman

JOEL D. LANDRY, II, ESQ.
Vice Chairman

JAMES LOMBARDI
Secretary

FERNANDO S. CUNHA, ESQ.
Legal Advisor

BOYCE SPINELLI
Ex-Officio



VINCENT A. CIANCI, JR.
Mayor

RICHARD O. RAFANOVIC, P.E.
General Mgr./Chief Engr.

JOSEPHINE DI RUZZO
City Councilwoman

EVELYN V. FARGNOLI
City Councilwoman

MARY A. NOCERA
Member

JOYCE TESSERIS
Member

November 21, 1995

Mr. Michael Clement
City Clerk
City Hall
25 Dorrance Street
Providence, Rhode Island 02903

SUBJECT: Petition for Street Abandonment
Bay Street
Providence

Dear Mr. Clement:

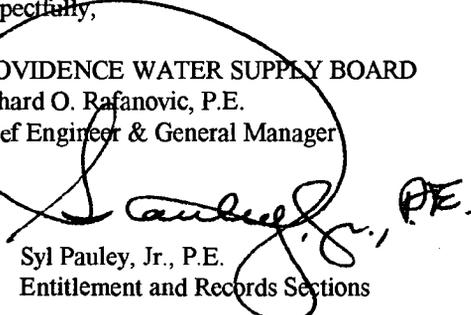
We have reviewed the referenced Petition for impact on the Providence Water Supply Board (PWSB) system. Our records indicate that PWSB owns and maintains a 6-inch cast iron water main that runs the entire length of Bay Street. There are two parcels that have water services connected to the main and are in use at this time.

The PWSB has no objection to the proposed street abandonment, provided that the Petitioner grant a full utility easement (minimum 20 feet wide) to the PWSB to maintain, construct, repair, etc. the existing water main, and that no permanent construction, whatsoever, be allowed within the easement. Wording of the easement shall be subject to review by the PWSB as to form and content.

If you have any questions, please feel free to contact me at 521-6300 EXT 170.

Respectfully,

PROVIDENCE WATER SUPPLY BOARD
Richard O. Rafanovic, P.E.
Chief Engineer & General Manager

By:  Syl Pauley, Jr., P.E.
Entitlement and Records Sections

SP/s

cc: P. Gadoury, P.E.
R. Kilduff, P.E.
V. LaGreca
File

ABNLTR12.SAM

ARMANDO PARILLO
Chairman

JOEL D. LANDRY, II, ESQ.
Vice Chairman

JAMES LOMBARDI
Secretary

FERNANDO S. CUNHA, ESQ.
Legal Advisor

BOYCE SPINELLI
Ex-Officio



VINCENT A. CIANCI, JR.
Mayor

RICHARD O. RAFANOVIC, P.E.
General Mgr./Chief Engr.

JOSEPHINE DI RUZZO
City Councilwoman

EVELYN V. FARGNOLI
City Councilwoman

MARY A. NOCERA
Member

JOYCE TESSERIS
Member

November 9, 1995

Mr. H. Charles Tapalian.
Cheaters, Inc.
245 Allens Avenue
Providence, Rhode Island

SUBJECT: Petition for Street Abandonment
Bay Street
Providence, Rhode Island

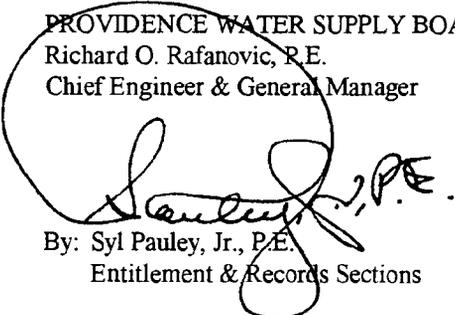
Dear Mr. Tapalian:

We have received a copy of a Petition to the City Council for the abandonment of the referenced street—between Poe Street and Allens Avenue—from the Providence City Clerk. It is the Policy of the Providence Water Supply Board to collect a fee, as authorized by the R.I. Public Utilities Commission, to review this type of request. Please forward your check in the amount of \$75.00, made payable to the "CITY COLLECTOR, PROVIDENCE WATER SUPPLY BOARD", at your earliest convenience. **Our review will commence as soon as we receive your payment.**

If you have any questions, please do not hesitate to contact me at (401) 521-6300 EXT 170.

Very truly yours,

PROVIDENCE WATER SUPPLY BOARD
Richard O. Rafanovic, P.E.
Chief Engineer & General Manager



By: Syl Pauley, Jr., P.E.
Entitlement & Records Sections

SP/s

cc: P. Gadoury, P.E.
R. Kilduff, P.E.
M. Clement, City Clerk
File

FEECOL46.SAM

NANCY L. DERRIG
SUPERINTENDENT OF PARKS



VINCENT A. CIANCI, JR.
MAYOR

Department of Public Parks
"Building Pride In Providence"

November 13, 1995

Mr. Michael Clement
City Clerk
Office of the City Clerk
City Hall
Prov., R.I.

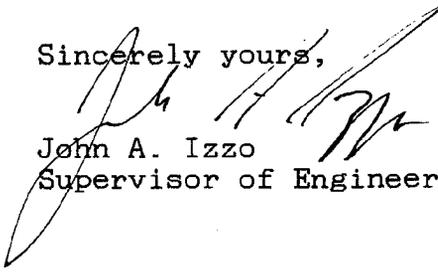
RE: Abandonment of Bay Street

Dear Mr. Clement:

Upon review of all Department of Public Parks Plans, and records. It is the conclusion of the Parks Department that the abandonment of Bay Street, will in no way effect any Park Department existing facility, and or future plans for that area.

Enclosed is a map indicating the street in question marked in **RED**, and the nearest Park Department facility marked in **GREEN**.

Sincerely yours,


John A. Izzo
Supervisor of Engineering & Planning

Michael R. Clement
City Clerk

—
Clerk of Council
—



Jean M. Angelone
First Deputy

—
Barbara A. Poirier
Second Deputy

**DEPARTMENT OF CITY CLERK
CITY HALL**

MEMORANDUM

DATE: November 8, 1995

TO: Nancy Derrig, Superintendent of Parks

SUBJECT: THE ATTACHED RESOLUTION

CONSIDERED BY: Councilman Robert M. Clarkin, Chairman-Committee on Public Works

DISPOSITION: The accompanying petition is referred to you for study, report and recommendation and report back in writing to the above-named committee as soon as practical.

Barbara A. Poirier
SECOND DEPUTY CITY CLERK

PETITION TO THE CITY COUNCIL

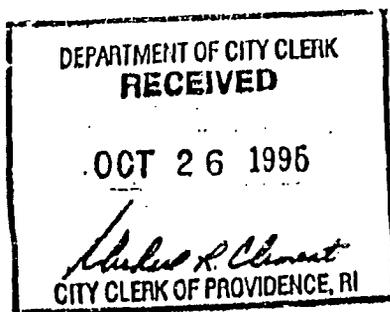
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245 Allens Ave.
Prov. RI
\$429 Check #
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Abandonment of
Bay St. between Poe St. & Allens Ave.

GEORGE CALCAGNI
CHAIR



VINCENT A. CIANCI, JR.
MAYOR

PROVIDENCE CITY PLAN COMMISSION

"Planning Providence's Future"

November 27, 1995

Committee on Public Works
City Clerk's Office
City Hall
Providence, Rhode Island 02903

Attention: Michael R. Clement, City Clerk

Subject: REFERRAL NO.3080 - ABANDONMENT OF BAY STREET
BETWEEN POE STREET & ALLENS AVE.

Gentlemen:

The City Plan Commission at its November 20, 1995 regular monthly meeting reviewed and evaluated the proposed the proposed abandonment of Bay Street from Poe Street to Allens Avenue.

The petitioner is Mr. H.Charles Tapalian of 245 Allens Avenue, Providence, R.I. principal owner of abutting properties which are held in the name of Spur Track Properties LLC and Quatros Amigos Holding Corporation.

A field inspection revealed that Bay Street is a paved public right-of-way used mostly as a parking area by adjacent property owner, tenants, and customers. The subject street is used infrequently also by trucks delivering or taking gravel/asphalt to or from the open storage area located on lot 597 along Poe Street. The adjacent properties described as lots 14 and 16 on A.P.47 and lot 428 on A.P.46 contain mixed commercial & industrial uses and are partially vacant and underutilized. Lots 433 and 497 contain the Cheaters Topless Club.

The petitioner, who is also representing Cheaters Inc., wants to convert the aforesaid Bay Street into a parking area.

The City Plan Commission would advise the Committee on Public Works that no objection is offered to this abandonment providing that the utility companies would have no objection to such abandonment.

Regards,

A handwritten signature in black ink, appearing to read "T. Deller", enclosed within a large, hand-drawn oval.

Thomas E. Deller, AICP
Deputy Director
Planning and Development

cc: R. Clarkin, Chairman, Committee on Public Works

CITY PLAN COMMISSION
PROVIDENCE, R. I.

Ref. No. 3080 Subject: ABANDONMENT OF BAY STREET

Plat No. 460047 Lot No. _____

Lot Area: 244' X 45'

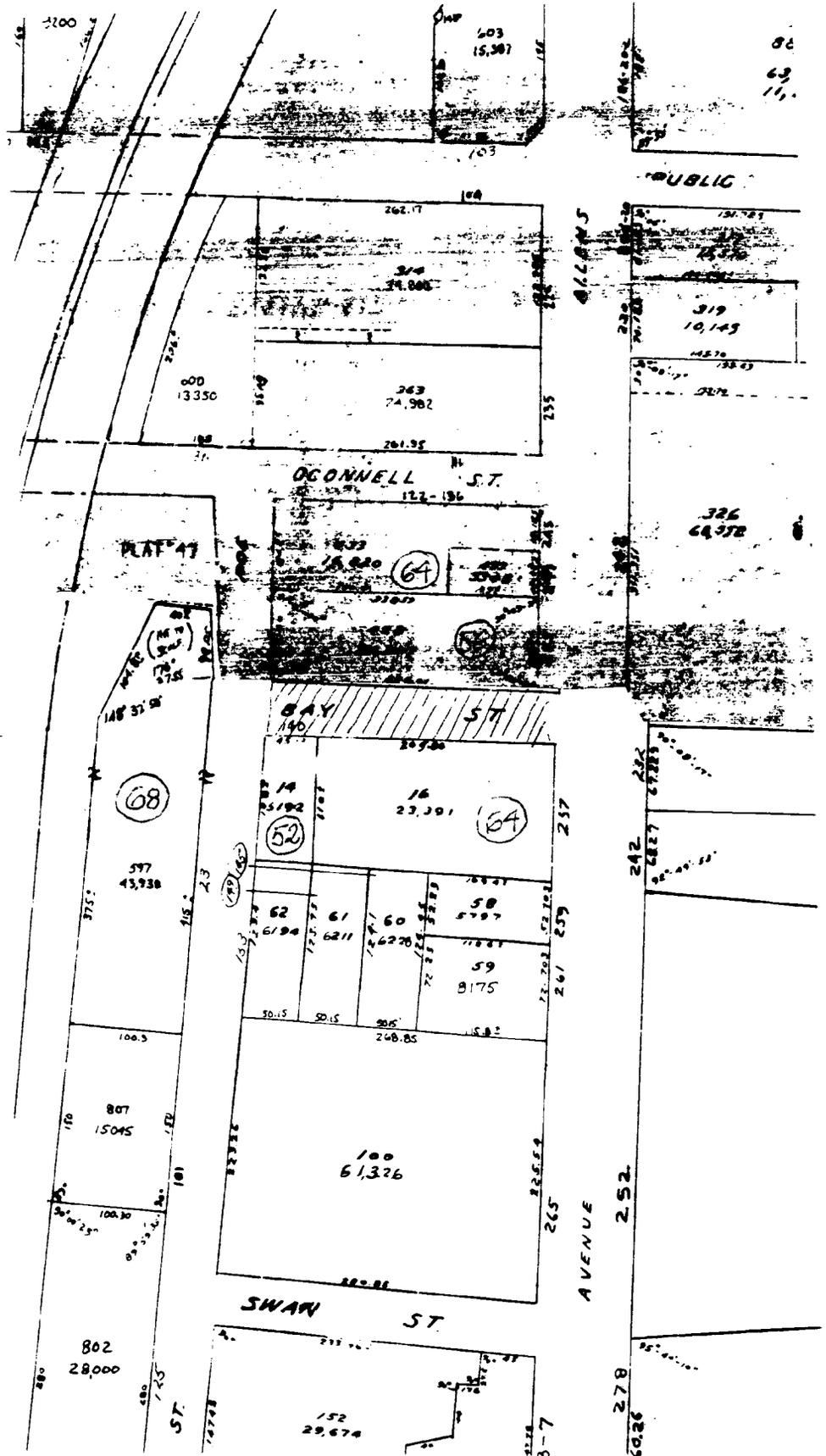
LAND USE LEGEND

- 00 Vac. Land
- 10 One Fam.
- 11 One Fam. & Nonres.
- 12 One Fam. & Home Occ.
- 13 One Fam. & Prof. Off.
- 15 Auxiliary to Res.
- 20 Two Fam.
- 21 Two Fam. & Nonres.
- 22 Two Fam. & Home Occ.
- 23 Two Fam. & Prof. Off.
- 25 Two Fam. & One Fam.
- 30 Three Fam.
- 31 Three Fam. & Nonres.
- 32 Three Fam. & Home Occ.
- 33 Three Fam. & Prof. Off.
- 35 Three Fam. & One Fam.
- 36 Three Fam. & Two Fam.
- 40 Apt. 4 Fam. or More
- 41 Apt. & Nonres.
- 42 Apt. & Home Occ.
- 43 Apt. & Prof. Off.
- 45 Apt. & One Fam.
- 46 Apt. & Two Fam.
- 47 Apt. & Three Fam.
- 48 Lodging House
- 49 Fraternity
- 51 Limited Comm.
- 52 Parking Lot
- 53 Gen. Comm.
- 54 Nonstruct. Gen. Comm.
- 55 Parking Gar.
- 56 Heavy Comm.
- 57 Nonstruct. Heavy Comm.
- 58 Auto. Service Sta.
- 59 Stor. Gar. for Comm. Veh.
- 64 Gen. Ind.
- 65 Nonstruct. Gen. Ind.
- 67 Heavy Ind.
- 68 Nonstruct. Heavy Ind.
- 71 Utility
- 75 Railroad
- 81 Instit. (not elsewhere class.)
- 82 Parochial School
- 83 Church
- 84 Private School or Coll.
- 85 Cemetery
- 91 Park, Golf Course
- 92 Playground & Playfield
- 95 Public Bld. (exc. schools)
- 96 Public School (E.S., J.H., H.S.)



AREA IN QUESTION

Date: 11/14/95 By: CT Scale: _____



CITY OF PROVIDENCE
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

PETITION TO THE CITY COUNCIL

TO THE HONORABLE CITY COUNCIL OF THE CITY OF PROVIDENCE:

The undersigned respectfully petitions your honorable body

October 24, 1995

To abandon Bay Street between Poe Street and Allen's Avenue to the owners of the abutting property Plot 47, Lot #14 and #16 and Plot 46, Lot #428. The abutting properties are held in the name of Spur Track Properties LLC and Quatros Amigos Holding Corp. The principals of each are the same.

Alfredo Rojas
245 ALLENS AV.
941-8310.

DEPARTMENT OF CITY CLERK
RECEIVED

OCT 26 1995

Michael R. Clement
City Clerk



Jean M. Angelone
First Deputy

Clerk of Council

Barbara A. Poirier
Second Deputy

**DEPARTMENT OF CITY CLERK
CITY HALL**

MEMORANDUM

*George -
Please review
Street abatement
due 11/16*

DATE: November 8, 1995

TO: John Palmieri, Department of Planning & Development

SUBJECT: THE ATTACHED RESOLUTION

CONSIDERED BY: Councilman Robert M. Clarkin, Chairman-Committee on Public Works

DISPOSITION: The accompanying petition is referred to you for study, report and recommendation and report back in writing to the above-named committee as soon as practical.

Barbara A. Poirier
SECOND DEPUTY CITY CLERK

GEORGE CALCAGNI
CHAIR



VINCENT A. CIANCI, JR.
MAYOR

PROVIDENCE CITY PLAN COMMISSION

"Planning Providence's Future"

November 27, 1995

Committee on Public Works
City Clerk's Office
City Hall
Providence, Rhode Island 02903

Attention: Michael R. Clement, City Clerk

Subject: REFERRAL NO.3080 - ABANDONMENT OF BAY STREET
BETWEEN POE STREET & ALLENS AVE.

Gentlemen:

The City Plan Commission at its November 20, 1995 regular monthly meeting reviewed and evaluated the proposed the proposed abandonment of Bay Street from Poe Street to Allens Avenue.

The petitioner is Mr. H.Charles Tapalian of 245 Allens Avenue, Providence, R.I. principal owner of abutting properties which are held in the name of Spur Track Properties LLC and Quatros Amigos Holding Corporation.

A field inspection revealed that Bay Street is a paved public right-of-way used mostly as a parking area by adjacent property owner, tenants, and customers. The subject street is used infrequently also by trucks delivering or taking gravel/asphalt to or from the open storage area located on lot 597 along Poe Street. The adjacent properties described as lots 14 and 16 on A.P.47 and lot 428 on A.P.46 contain mixed commercial & industrial uses and are partially vacant and underutilized. Lots 433 and 497 contain the Cheaters Topless Club.

The petitioner, who is also representing Cheaters Inc., wants to convert the aforesaid Bay Street into a parking area.

The City Plan Commission would advise the Committee on Public Works that no objection is offered to this abandonment providing that the utility companies would have no objection to such abandonment.

Regards,

Thomas E. Deller, AICP
Deputy Director
Planning and Development

cc: R. Clarkin, Chairman, Committee on Public Works

CITY OF PROVIDENCE
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

PETITION TO THE CITY COUNCIL

TO THE HONORABLE CITY COUNCIL OF THE CITY OF PROVIDENCE:

The undersigned respectfully petitions your honorable body

October 24, 1995

To abandon Bay Street between Poe Street and Allen's Avenue to the owners of the abutting property Plot 47, Lot #14 and #16 and Plot 46, Lot #428. The abutting properties are held in the name of Spur Track Properties LLC and Quatros Amigos Holding Corp. The principals of each are the same.

A. Charles T. T. T. T. T.
245 ALLENS AV.
941-8310.

DEPARTMENT OF CITY CLERK
RECEIVED

OCT 26 1995

Michael R. Clement
City Clerk

Clerk of Council



Jean M. Angelone
First Deputy

Barbara A. Poirier
Second Deputy

DEPARTMENT OF CITY CLERK
CITY HALL

MEMORANDUM

*George -
Please review
Street abatement
due 11/16*

DATE: November 8, 1995

TO: John Palmieri, Department of Planning & Development

SUBJECT: THE ATTACHED RESOLUTION

CONSIDERED BY: Councilman Robert M. Clarkin, Chairman-Committee on Public Works

DISPOSITION: The accompanying petition is referred to you for study, report and recommendation and report back in writing to the above-named committee as soon as practical.

Barbara A. Poirier
SECOND DEPUTY CITY CLERK

B. JAMES SUZMAN
Traffic Engineer
IRENE J. TESTA
Director



VINCENT A. CIANCI, JR.
Mayor

Department of Traffic Engineering
"Building Pride In Providence"

M E M O R A N D U M

TO: ROBERT CLARKIN, CHAIRMAN
COMMITTEE ON PUBLIC WORKS

FROM: IRENE J. TESTA 
DIRECTOR OF TRAFFIC ENGINEERING

DATE: 1/29/96

RE: TRANSMITTAL OF COMMUNICATION TO COMMITTEE

REQUEST: To abandon a portion of Bay Street.

DISPOSITION: No objection to said abandonment.



Narragansett Electric

A New England Electric System company

A handwritten signature in cursive script that reads "Bay".

The Narragansett Electric Company
280 Melrose Street
P.O. Box 1438
Providence, Rhode Island 02901-1438

November 30, 1995

Ms. Barbara A. Poirier
Department of City Clerk
Providence City Hall
25 Dorrance Street
Providence, Rhode Island 02903

Re: Petitions to Abandon Portions of Chalkstone Avenue, Bay Street,
and Gangway between Commadore and Touro Street

Dear Barbara:

The Narragansett Electric Company (NECo) presently has overhead distribution facilities situated on the proposed abandoned portions of Chalkstone Avenue and Bay Street. Please understand that NECo has no objections to the abandonments provided that in the event the streets are abandoned, an easement acceptable to NECo will permit the retention of our facilities in their existing locations.

As for the gangway between Commadore Street and Touro Street, NECo has no overhead or underground facilities presently located there and has no objection to the abandonment.

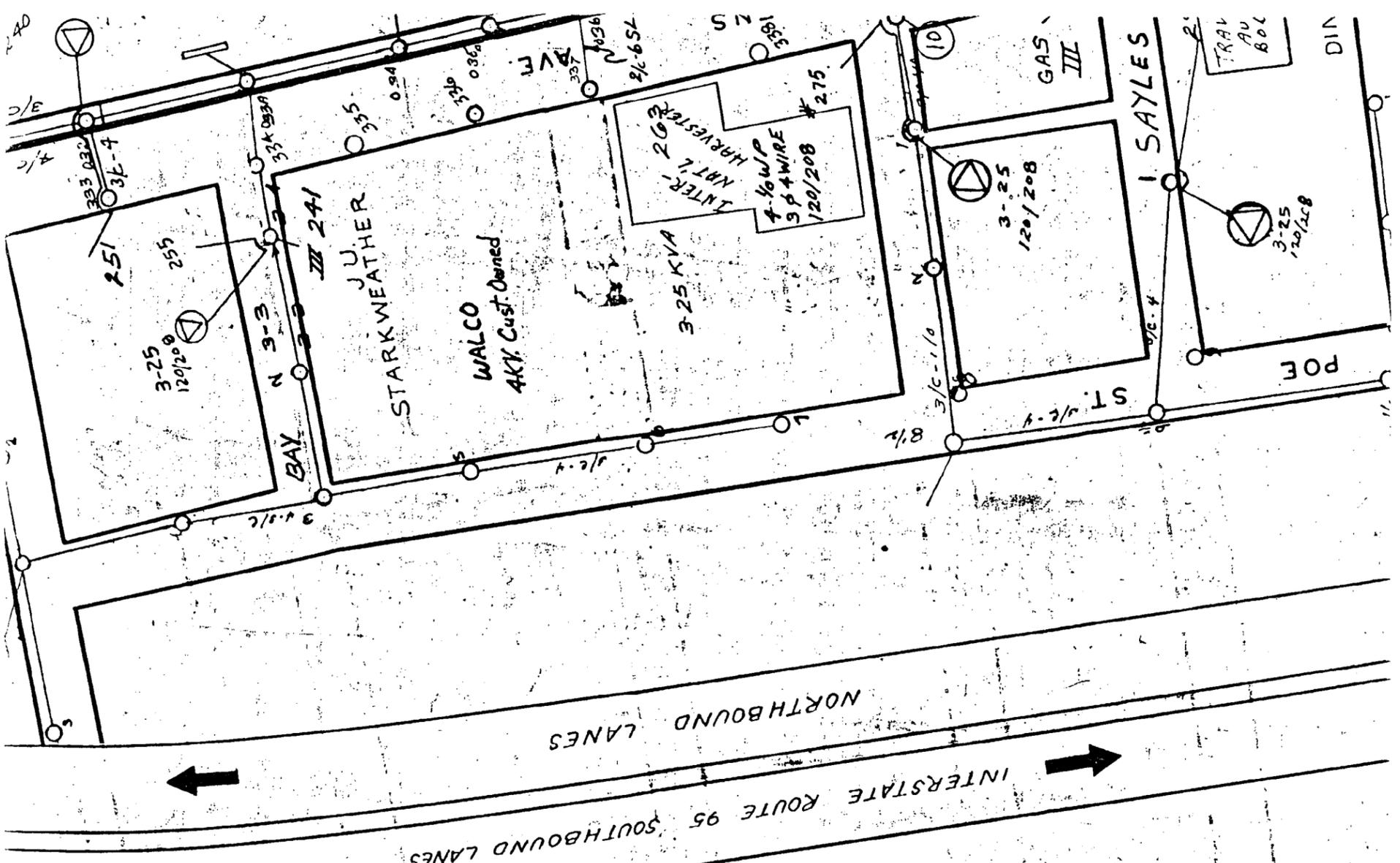
If you have any questions feel free to call me at 401-784-7209.

Sincerely,

A handwritten signature in cursive script that reads "Michael D. DiNezza".

Michael D. DiNezza
Senior Real Estate Representative

Enclosures



NYNEX
85 High Street, Pawtucket, RI 02860
Tel 401 727 9555
Fax 401 726 6166

NYNEX

November 27, 1995

Providence City Council
Providence City Hall
25 Dorrance Street
Providence, Rhode Island 02903

Attn: Robert Clarkin

RE: PETITION TO ABANDON A PORTION OF BAY ST.

Dear Sir,

Upon investigation it has been determined that Nynex has no facilities on the proposed sites to be abandoned.

Very truly yours,



Mary C. Hanley
E/P Manager - Right of Way



November 20, 1995

Ms. Barbara A. Poirier
Second Deputy City Clerk
Department of City Clerk
City Hall
25 Dorrance Street
Providence, RI 02903

RE: Bay Street Abandonment

Dear Ms. Poirier:

Providence Gas Company does not object to the abandonment of Bay Street between Poe Street and Allens Avenue. We do not have facilities within that area.

If I may be of further assistance, please call me at 272-5040, extension 521.

Sincerely,

A handwritten signature in cursive script that reads "Tom Gavula".

Thomas P. Gavula, Director
Engineering & Project Management

TPG/kg

cc: Emilie Benoit

The Foundry Corporate Office Center
235 Promenade Street – Suite 500
Providence, RI
02908-5739
401 • 277 • 6680
401 • 277 • 2584 Fax
401 • 277 • 6680 TDD

Rep. Vincent J. Mesolella
Chairman

Paul Pinault
Executive Director



November 21, 1995

Ms. Barbara Poirier
Second Deputy Clerk
Department of City Clerk
City Hall
Providence, RI 02903

SUBJECT: Abandonment of City-Owned Property

Dear Ms. Poirier:

We have reviewed your memoranda and documentation concerning the abandonment of a section of Bay Street, Providence, RI.

The NBC does not own any facility in this street. Therefore, we do not have any objection to the abandonment of these properties.

We appreciate your notification of these abandonments and the opportunity to comment.

Sincerely,

A handwritten signature in black ink, appearing to read "John Zuba".

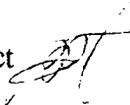
John Zuba
Project Coordinator

JZ/amr
cc: Joe Filippone, NBC

MEMORANDUM

DATE : November 28, 1995

TO : Thomas E. Deller, AICP, Deputy Director/Planning and Policy
Thomas F. O'Connor, Associate Director/Project
Management and Construction
Barbara Poirier, Second Deputy Clerk

FROM : William G. Floriani, Assistant Director/Project
Management and Construction 

RE : APPRAISAL VALUE
ABANDONMENT OF BAY STREET

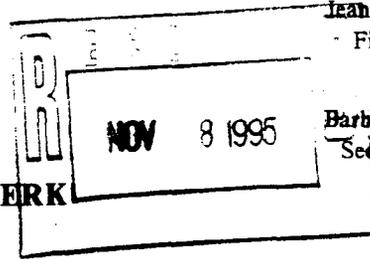
I have completed an appraisal of the proposed abandonment of Bay Street. The petitioner is requesting the abandonment of the entire length of Bay Street from Poe Street to Allens Avenue. this parcel is presently zoned general industrial and contains 10,980 s.f. I am assuming that all easement for the utilities will remain. The value of the property is as follows:

10,980 s.f. @ \$1.10 per ft. + \$12,000.00

PC 308C

Michael R. Clement
City Clerk

Clerk of Council



Jean M. Angelone
First Deputy

Barbara A. Poirier
Second Deputy

DEPARTMENT OF CITY CLERK
CITY HALL

MEMORANDUM

DATE: November 8, 1995

TO: John Palmieri, Department of Planning & Development

SUBJECT: THE ATTACHED RESOLUTION

CONSIDERED BY: Councilman Robert M. Clarkin, Chairman-Committee on Public Works

DISPOSITION: The accompanying petition is referred to you for study, report and recommendation and report back in writing to the above-named committee as soon as practical.

RECEIVED

13 1995

PLANNING DIVISION

SECOND DEPUTY CITY CLERK

PETITION TO THE CITY COUNCIL

TO THE HONORABLE CITY COUNCIL OF THE CITY OF PROVIDENCE:

The undersigned respectfully petitions your honorable body

October 24, 1995

To abandon Bay Street between Poe Street and
Allen's Avenue to the owners of the abutting
property Plot 47, Lot #14 and #16 and Plot
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held in the name of Spur Track Properties LLC
and Quatros Amigos Holding Corp. The principals
of each are the same.

H. Charles Tapalian
245 ALLENS AV.
941-8310.

DEPARTMENT OF CITY CLERK
RECEIVED
OCT 26 1996
Charles H. Chant
CITY CLERK OF PROVIDENCE, RI

H. Charles Tapalian
Cheaters, Inc.
245 Allens Ave
Prov. RI
3429 Check #
Fleet Bank

Abandonment of
Bay St. between Poe St. & Allens Ave.

CPC REFERRAL NO.3080 - ABANDONMENT OF BAY STREET
BETWEEN POE STREET & ALLENS AVE.

A communication was received from the Committee on Public Works dated November 8, 1995 requesting the City Plan Commission's recommendation on the proposed abandonment of Bay Street from Poe Street to Allens Avenue.

The petitioner is Mr. H.Charles Tapalian of 245 Allens Avenue, Providence, R.I. principal owner of abutting properties which are held in the name of Spur Track Properties LLC and Quatros Amigos Holding Corporation.

A field inspection revealed that Bay Street is a paved public right of way used mostly as a parking area by adjacent property's tenants and customers. The subject street is used infrequently also by trucks delivering or taking gravel/asphalt to or from the open storage area located on lot 597 along Poe Street. The adjacent properties described as lots 14 & 16 on A.P.47 and lot 428 on A.P.46 contain mixed commercial & industrial uses and are partially vacant and underutilized. Lots 433 & 497 contain the Cheaters Topless Club.

The petitioner, who is also representing Cheaters Inc., wants to convert the aforesaid Bay Street into a parking area.

~~The staff recommends that the Commission advise the~~
Committee on Public Works that no objection is offered to this abandonment providing that the utility companies would have no objection to such abandonment.

CITY PLAN COMMISSION
PROVIDENCE, R. I.

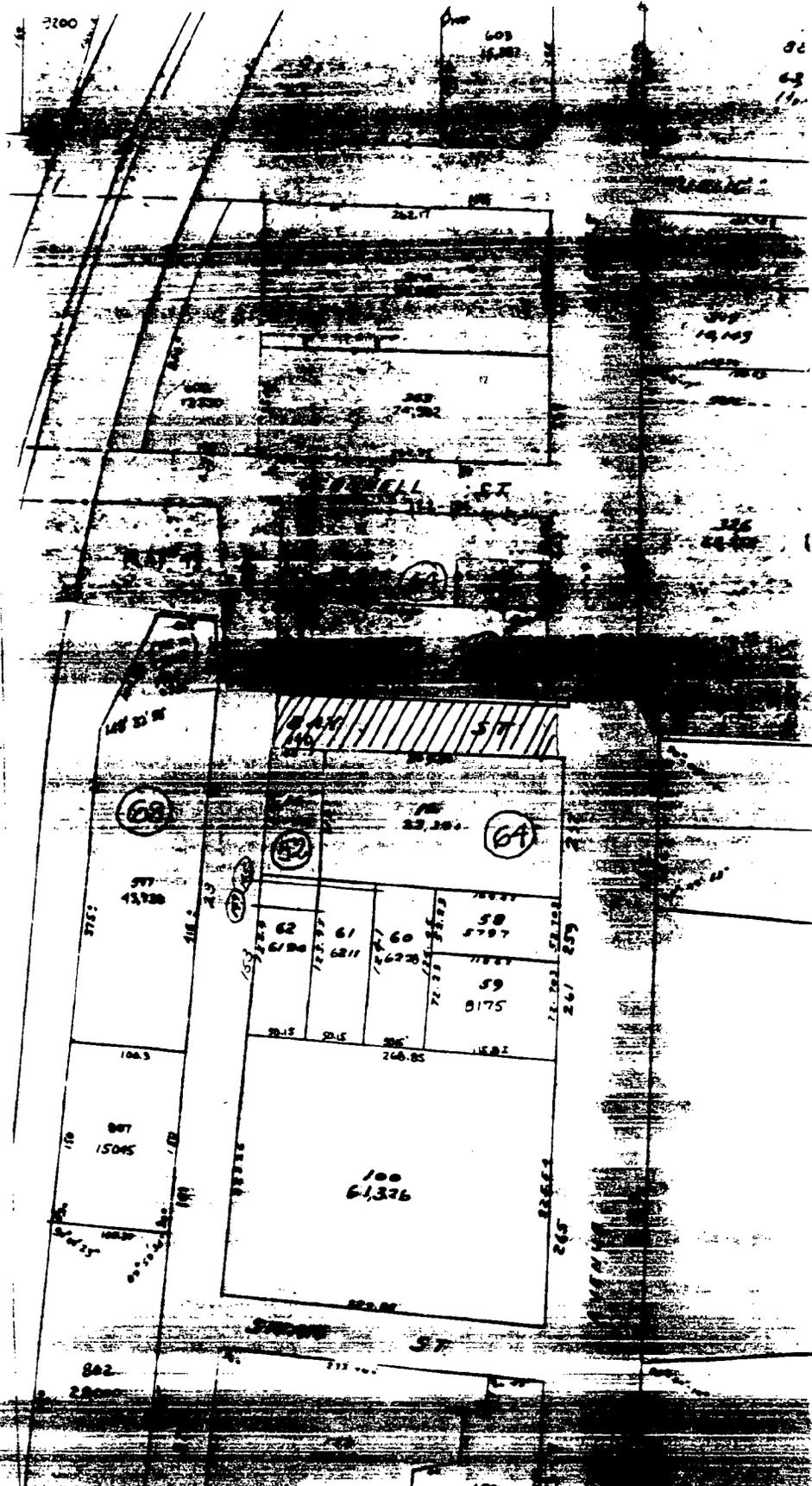
Ref. No. 3080 Subject: ABANDONMENT OF BAY STREET

Plat No. 46 & 47 Lot No. _____

Lot Area: 244' X 45'

LAND USE LEGEND

- 00 Vac. Land
- 10 One Fam.
- 11 One Fam. & Nonres.
- 12 One Fam. & Home Occ.
- 13 One Fam. & Prof. Off.
- 15 Auxiliary to Res.
- 20 Two Fam.
- 21 Two Fam. & Nonres.
- 22 Two Fam. & Home Occ.
- 23 Two Fam. & Prof. Off.
- 25 Two Fam. & One Fam.
- 30 Three Fam.
- 31 Three Fam. & Nonres.
- 32 Three Fam. & Home Occ.
- 33 Three Fam. & Prof. Off.
- 35 Three Fam. & One Fam.
- 36 Three Fam. & Two Fam.
- 40 Apt. 4 Fam. or More
- 41 Apt. & Nonres.
- 42 Apt. & Home Occ.
- 43 Apt. & Prof. Off.
- 45 Apt. & One Fam.
- 46 Apt. & Two Fam.
- 47 Apt. & Three Fam.
- 48 Existing Homes
- 49 Fraternity
- 51 Limited Comm.
- 52 Parking Lot
- 53 Gen. Comm.
- 54 Nonstruct. Gen. Comm.
- 55 Parking Gar.
- 56 Heavy Comm.
- 57 Nonstruct. Heavy Comm.
- 58 Auto. Service Sta.
- 59 Stor. Gar. for Comm. Veh.
- 64 Gen. Ind.
- 65 Nonstruct. Gen. Ind.
- 67 Heavy Ind.
- 68 Nonstruct. Heavy Ind.
- 71 Utility
- 75 Railroad
- 81 Instit. (not elsewhere class.)
- 82 Parochial School
- 93 Church
- 94 Private School or Coll.
- 95 Cemetery
- 97 Park, Golf Course
- 98 Playground & Playfield
- 99 Public Bldg. (exc. schools)
- 99 Public School (E.S., J.H., H.S.)





VIEW FROM EAST SIDE OF STREET



VIEW FROM WEST SIDE OF STREET

RESOLUTION OF THE CITY COUNCIL

No. 644

Approved November 22, 1996

RESOLVED, DECREED AND ORDERED:

That the following named street shown as cross-hatched area on the accompanying plan entitled: "Providence, RI Department of Public Works - Engineering Office, Street Line Section Plan No. 064571 dated November 14, 1995.

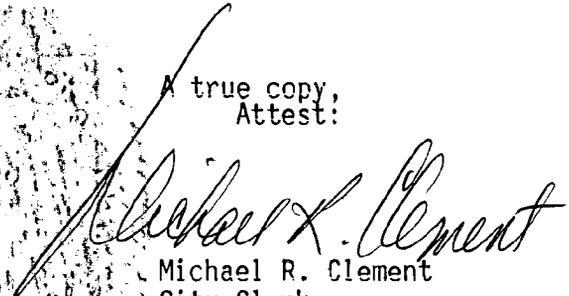
VIZ:

BAY STREET, (portions of), shown as cross-hatched area on accompanying plan and designated by the letters (A-B-C-D-A) having ceased to be useful to the public and is proposed to be abandoned as a Public Highway. Said Abandonment is specifically conditioned precedent upon the following: (1) Petitioner shall tender the amount of Ten Thousand Dollars (\$10,000.00) in legal tender U.S. to the City of Providence, (2) The petitioner shall convey an easement acceptable to the Providence Water Supply Board which will permit retention of its facilities in their existing location, together with the right to inspect, maintain, operate and replace the same and with twenty-four hour access to said facilities, or in the alternative should it be determined by the petitioner that any such facilities need be relocated in order to comply with an intended use, the petitioner shall assume all costs of relocation, (3) The petitioner shall convey an easement acceptable to the Narragansett Electric Company which will permit retention of its facilities in their existing location, together with the right to inspect, maintain, operate and replace the same and with twenty-four hour access to said facilities, or in the alternative should it be determined by the petitioner that any such facilities need be relocated in order to comply with an intended use, the petitioner shall assume all costs of relocation, (4) Petitioner shall undertake no construction in, about or upon said premises without the express written consent of the Chief of the Providence Fire Department. Additionally, Petitioner recognizes the existence of sprinkler connections necessary to the providence Fire Department and the Providence Fire Department shall have unimpeded access to said system and across the abandoned property twenty-four (24) hours per day. In the alternative, should the Chief of the Fire Department find that the creation of a "fire lane" so-called, is satisfactory for Department needs, then this condition shall be met by the creation of said fire lane, together with the assent of the petitioners thereto.

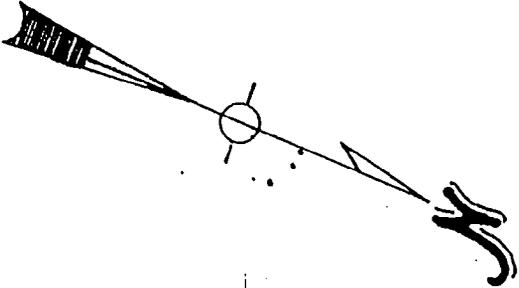
ORDERED, That the Traffic Engineer be and he is hereby directed to cause a sign to be placed on the above-named highway abandoned as aforesaid, having thereon the words, "Not a Public Highway," And it is further

ORDERED, That after the entry of this order or decree the City Clerk shall cause a notice thereof to be published in a newspaper, published in the County of Providence at least once a week for three successive weeks and a further and personal notice shall be served by the City Sergeant upon every owner of land abutting the above-named highway which has been abandoned, who is known to reside within the State.

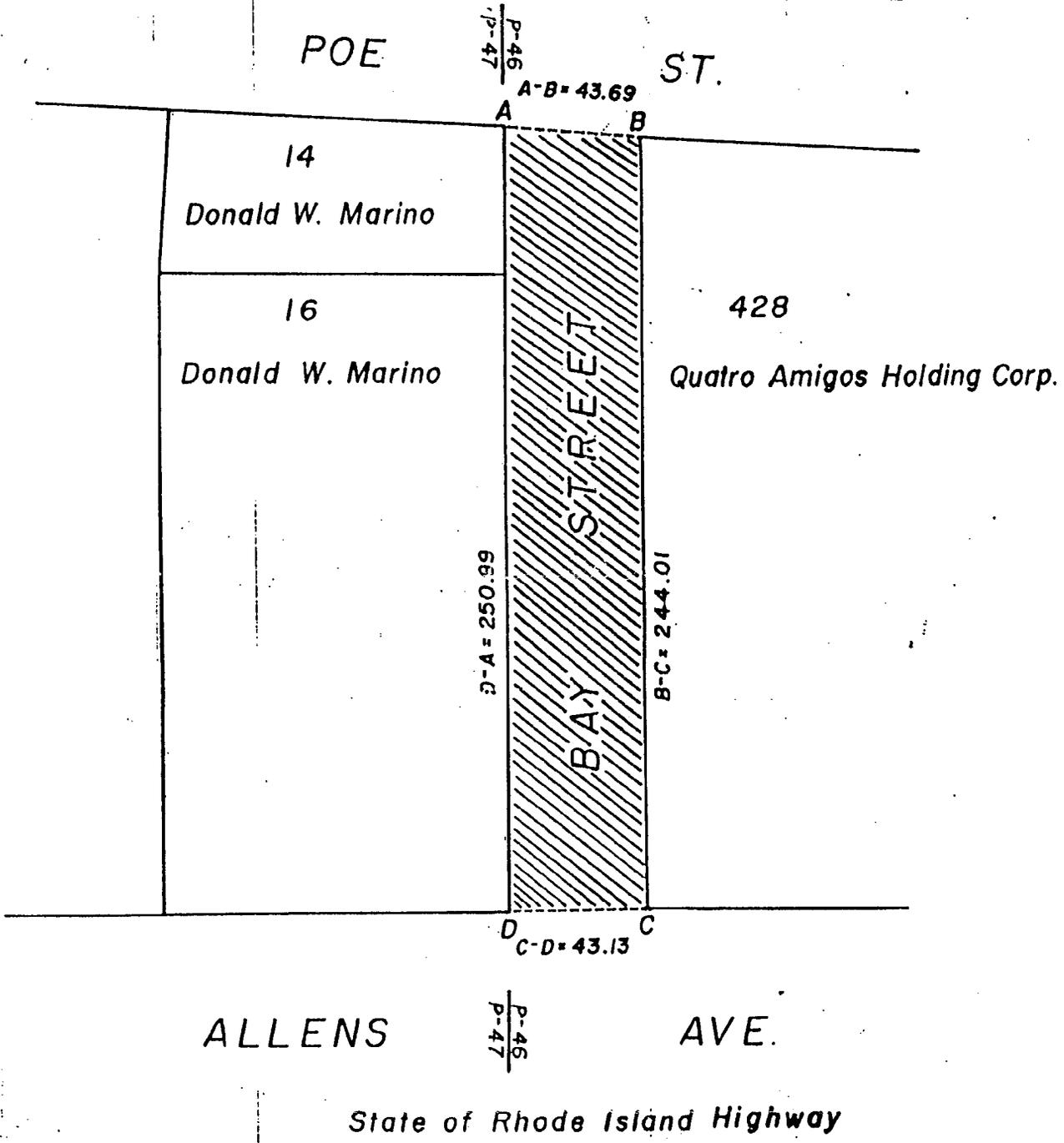
A true copy,
Attest:



Michael R. Clement
City Clerk



PROVIDENCE, R.I.
 P.W. DEPT. — ENGINEERING OFFICE
 STREET LINE SECTION
 Plan No. 064571
 Date: NOV. 14, 1995



NOTES: Cross-Hatched Area (A-B-C-D-A) Indicates Proposed Abandonment of a Portion of a Bay St.

Total Square Footage = 10,674.68

Lot Numbers Taken From A.P. 46 & 47

CITY OF PROVIDENCE, R.I.
 Public Works Dept. Engineering Office
 Showing Proposed Abandonment of a Portion of Bay St.
 Drawn by Steve Z. Checked by J.A.M.
 Scale 1" = 50' Date 11-14-95
 Corrected by [Signature] Associate Engr.
 Approved _____
 CHIEF ENGINEER

Received for Record at 12 o'clock 41 min P in
 Recorder of Deeds

DEC 17 1996

Robert Z. Ricci

3460/179-181

C

41943

RECEIVED FOR RECORD
at 12 o'clock 41 minutes P.M.
and recorded in book.....page.....
of record of

DEC 17 1885

Witness *Robert L. Rice*
Recorder of Deeds
Fee.....



STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

Department of Transportation
Property and Right-of-Way Division
Two Capitol Hill, Room 317
Providence, RI 02903-1124

OFFICE (401) 277-2411
FAX (401) 277-3435
TDD 277-4971

January 7, 1997

Mr. Michael R. Clement, City Clerk
Office of City Clerk
Providence City Hall
25 Dorrance Street
Providence, RI 02903-1789

Dear Mr. Clement

The Rhode Island Department of Transportation, Division of Property & Right of Way, has reviewed the request for the abandonment of a portion of Bay Street between Allens Avenue & Poe Street. It was determined that the aforementioned abandonment would not have any adverse effect upon future RIDOT plans.

However, should the new owner erect any signs, it is suggested that they comply with the RIDOT Outdoor Advertising Rules and Regulations and Section 24-10.1 of the General Laws of the State of Rhode Island. Allens Avenue is a State maintained and controlled roadway. A copy of the regulations is attached.

Should any questions arise regarding placement of signs, please contact me or the Outdoor Advertising Section at 401-277-2411.

Sincerely,

Ann M. Hollands, MAI
Assistant Director

AMH:rbj

Attachment

cc: PaulCarcieri, Robert Jackson, File

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

OUTDOOR ADVERTISING

RULES AND REGULATIONS

I. PURPOSE

The purpose of these Rules and Regulations is to control the erection and maintenance of outdoor advertising signs in accordance with the declaration of policy set forth by the general assembly enacting Chapter 24-10.1 of the General Laws of Rhode Island.

II. APPLICATION

These Rules and Regulations are applicable to all areas visible from the main-traveled way of the Interstate and Federal-aid primary system of highways in the State, (NOTE: Section V & VII only of these Rules and Regulations are applicable to on premise signs). These provisions apply regardless of whether Federal funds participated in the cost of such highways. Nothing contained in these Rules and Regulations shall prohibit a municipality from establishing regulations imposing stricter limitations.

III. DEFINITIONS

A. Commercial or industrial activities, for purposes of the unzoned area definition, mean those activities generally recognized as commercial or industrial by zoning authorities in this State, except that none of the following shall be considered commercial or industrial:

1. Agricultural, forestry, ranching, grazing, farming and related activities, including, but not limited to

wayside fresh fruit stands.

2. Transient or temporary activities.
 3. Activities not visible from the main traveled way.
 4. Activities more than 300 feet from the nearest edge of the main traveled way.
 5. Activities conducted in a building principally used as a residence.
 6. Railroad tracks and minor sidings.
 7. Activities normally and regularly in operation less than 5 months per year.
- B. Commercial or industrial zone means areas which were zoned industrial or commercial under authority of law as of December 21, 1959.
- C. Controlled area means:
1. In an urban area, those areas adjacent to, and within 660 feet, of the edge of the right-of-way of the Interstate and Federal-aid primary systems.
 2. Outside an urban area, those areas adjacent to the edge of the right-of-way of the Interstate and Federal-aid primary systems and visible from the main traveled way.
- D. Department means the Department of Transportation of the State of Rhode Island and Providence Plantations.

- E. Directional and official signs and notices include only official signs and notices, public utility signs, service clubs and religious notices, public service signs, and directional signs.
- F. Directional signs means signs containing directional information about public places owned or operated by Federal, State, or Local governments or their agencies; publicly or privately owned natural phenomena, historic, cultural scientific, educational, and religious sites; and areas of natural scenic beauty or naturally suited for outdoor recreation, deemed to be in interest of the public.
- G. Double Faced Signs means two (2) signs side by side facing the same direction no more than five (5) feet apart.
- H. Erect means to construct, build, raise, assemble, place, affix, attach, create, paint, draw, or in any other way bring into being or establish, but it shall not include any of the foregoing activities when performed as an incident to the change of advertising message or maintenance or repair of a sign or sign structure.
- I. Erected with the purpose of its message being read means any sign which is visible from the controlled highway.

- J. Freeway means a multi-lane divided highway that has complete control of access.
- K. Illegal sign means one which was erected or maintained in violation of the State Law, Rules and Regulations, or local law or ordinance.
- L. Information center means an area or site established and maintained as safety rest areas for the purpose of informing the public of places of interest within the State and providing such other information as the Director of Transportation may consider desirable.
- M. Interstate system means that a portion of the national system of interstate and defense highways located within the State, as officially designated, or as may hereafter be so designated, by the Director of The Rhode Island Department of Transportation (Department) and the United States Secretary of Transportation, pursuant to the provisions of Title 23, CODE OF FEDERAL REGULATIONS, Entitled "Highways".

Secretary of Transportation, pursuant to the provisions of Title 23,
CODE OF FEDERAL REGULATIONS, TRANSPORTATION, entitled "Highways".

- N. Maintain means to allow to exist, or keep in repair.

- O. Main-traveled way means the traveled way of a highway on which through traffic is carried. In case of a divided highway, the traveled way of each of the separated roadways for traffic in opposite directions is a main-traveled way. It does not include such facilities as frontage roads, turning roadways or parking areas.

- P. Major official guide sign means a sign with a total area of not less than 12 square feet, erected and authorized by the State or Federal Government to designate route numbers or route names, distances and directions to certain localities or municipalities.

- Q. Municipality means a city or town in the State of Rhode Island.

- R. Nonconforming signs are those signs which were lawfully erected, but which do not comply with the provisions of subsequent State law or rules and regulations or which later fail to comply with State law or rules and regulations due to changed conditions.

- S. Official signs and notices means signs and notices erected and maintained by public officers or public agencies within their territorial or zoning jurisdiction and pursuant to and in accordance with direction or authorization contained in Federal, State, or local law for the purposes of carrying out an official duty or responsibility. Historical markers authorized by State law and erected by State or local government agencies or nonprofit historical societies may be may be considered official signs.
- T. Primary means that portion of connected main highways, as officially designated, or as may hereafter be so designated, by the Director of Transportation, and approved by the U.S. Secretary of Transportation, pursuant to the provisions of title 23, CODE OF FEDERAL REGULATION "Highways".
- U. Public service signs means signs located on school bus stop shelters, which signs:
1. Identify the donor, sponsor, or contributor of said shelters;
 2. Contain safety slogans or messages, which shall occupy not less than 50 percent of the area of the sign;
 3. contain no other message;
 4. Are located on school bus shelters which are not authorized or approved by city, county, or State law, regulation, or ordinance, at places approved by the city, county or State agency controlling the highway involved; and
 5. May not exceed 32 square feet in area. Not more than one

sign on each shelter shall face in any one direction.

- V. Public utility signs means warning signs, informational signs, notices or markers which are customarily erected and maintained by publicly or privately owned public utilities, as essential to their operations.

- W Right-of-Way means the easement in or property acquired by the public through the Department of Transportation, for the purposes of highway construction, safety rest areas, landscaping or any other purpose incidental to highway travel.

- X. Safety Rest Area means an area or site established and maintained within or adjacent to the right-of-way by or under public supervision or control, for the convenience of the traveling public.

- Y. Scenic area means any area of natural or man-made scenic beauty or historical significance designated by the Department.

- AA. Service club and religious notices means signs and notices, whose erection is authorized by law, relating to meetings of nonprofit service clubs or charitable associations, or religious services, which signs do not exceed 8 square feet in area.

- BB. Sign means an outdoor sign, display, device, figure, painting, drawing, message, placard, poster, billboard, structure or

other thing which is designed, intended or used to advertise or inform, any part of the advertising or informative contents of which is visible from any place on the main traveled way of the Interstate system.

CC. Traveled way means the portion of the roadway for the movement of vehicles, exclusive of shoulders and auxiliary lanes.

DD. Unzoned commercial or industrial area means those areas not zoned by State or local law, regulation or ordinance, which are occupied by one or more industrial or commercial activities, other than outdoor advertising signs, and the lands along the highway for a distance of 500 feet immediately adjacent to the activities.

All measurements shall be from the outer edges of the regularly used buildings, parking lots, storage or processing areas of the activities, not from the property lines of the activities, and shall be along or parallel to the edge of pavement of the highway.

Measurements shall not be from the property lines of the activities unless said property lines coincide with the limits of the activities.

Unzoned industrial or commercial areas shall not include land on the opposite side of the highway from the activities or land predominately used for residential purposes, or land adjacent to Interstate or primary highway constructed on right-of-way, the entire width of which was acquired subsequent to July 1, 1956.

EE. Urban area means an urbanized area or an urban place as

designated by the Bureau of the Census having a population of five thousand or more and not within any urbanized area, within boundaries to be fixed by the State Office of Planning, subject to the approval by the Secretary of the U.S. Department of Transportation. Such boundaries shall as a minimum, encompass the entire urban place designated by the Bureau of the Census. Urbanized area means an area so designated by the Bureau of the Census, within boundaries to be fixed by the State Office of Planning, subject to the approval by the Secretary of the Department of Transportation. Such boundaries shall, as a minimum, encompass the entire urbanized area within the State as designated by the Bureau of the Census.

FF. Visible means capable of being seen (whether or not legible) without visual aid by a person of normal acuity.

IV. ADVERTISING SIGNS PROHIBITED

No person shall erect or maintain any sign in a controlled area except the following:

- A. Directional and other official signs and notices;
- B. Signs advertising the sale or lease of property upon which they are located, subject however, to the requirements of Section VII of these Rules and Regulations.
- C. Signs advertising activities conducted on the property

upon which they are located, subject, however, to the requirements of Section VII of these Rules and Regulations.

- D. Signs located in areas which were zoned commercial or industrial under authority of law as of December 21, 1959. However, signs which are more than 660 feet from the edge of the right-of-way, outside urban areas, and erected with the purpose of their message being read from the main-traveled way are prohibited.
- E. Signs located in unzoned commercial or industrial areas as defined in Section III in these Rules and Regulations. However, signs which are more than 660 feet from the edge of the right-of-way, outside urban areas, and erected with the purpose of their message being read from the main-traveled way are prohibited.
- F. Signs lawfully in existence on October 22, 1965, determined by the Director of the Department, subject to the concurrence of the U.S. Secretary of Transportation, to be landmark signs, including signs on farm structures of natural surfaces, of historic or artistic significance the preservation which would be consistent with the purposes of these regulations.

V. GENERAL REGULATIONS

The following Rules and Regulations shall apply to all signs:

- A. Signs shall not be erected or maintained in such a

manner as to obscure or otherwise physically interfere with an official traffic sign, signal or device, or to obstruct or physically interfere with the driver's view of approaching, merging, or intersecting traffic.

- B. Signs shall not be erected or maintained which imitate or resemble official traffic signs, signals or devices, or are erected or maintained upon trees or painted or drawn upon rocks or natural features, or which are structurally unsafe or in disrepair.
- C. No lighting may be used in any way in connection with any sign unless it is so effectively shielded as to prevent beams or rays of light being directed at any portion of the main traveled way of the highway, or is of such low intensity or brilliance as not to cause glare or to impair the vision of the driver of any motor vehicle, or otherwise interfere with any driver's operation of a motor vehicle.
- D. Adjacent to the interstate system, no sign may be erected or maintained which moves or has any animated or moving parts.

VI. SIGNS IN COMMERCIAL AND INDUSTRIAL AREAS

- A. Signs locate in zoned or unzoned commercial or industrial areas must comply with size, lighting, and spacing criteria. All such signs shall be classified as conforming and may be allowed to be erected and maintained provided they meet the following criteria:

1. SIZE OF SIGNS

a. No sign shall exceed the following limits:

(1) For signs which are located within 150 feet from the nearest edge of the right-of-way, maximum area - 675 square feet, maximum height - 20 feet, maximum length - 50 feet. Dimensions include border trim, cut-outs, extensions, but exclude bases and supports.

(2) For signs which are located 150 feet or more from the nearest edge of the right-of-way, maximum area - 1200 square feet, maximum length - 60 feet, maximum height - 25 feet. Dimensions include border, trim, cut-outs and extensions but exclude bases and supports.

(3) Cut-outs and extensions are not to exceed the following limits:

(a) Five (5) feet from top of trim.

(b) One and one-half feet from either vertical side of trim.

(c) Two (2) feet from bottom of trim.

(d) No one cut-out shall exceed more than ten percent (10%) of the total copy area or no combination of cut-outs shall exceed thirty percent (30%) of the total copy area.

b. Signs may be double faced (abutting and facing the same direction) provided that the total dimensions and

area of double faced signs on the structure do not exceed the stipulations of a (1), a (2) and a (3) above.

- c. Back to back signs shall be considered as two signs.
- d. V type signs shall be considered as two signs, but must be erected so that only one sign face is visible to traffic proceeding in any one direction on any Interstate or Primary system.

2. SPACING OF SIGNS

a. Interstate and Primary Highways

(1) Signs may not be located within 750 feet of any of the following which are adjacent to the highway right-of-way regardless of whether there is direct access from the main traveled way.

- (a) Recreational Public Parks
- (b) Public forests
- (c) Public Playgrounds
- (d) Scenic Overlooks

(2) In connection with sub-paragraph (1) above, the 750 foot limitation which will be measured from the property lines of recreational public parks, public forests and public playgrounds will not be interpreted to extend beyond the opposite side of said highway right-of-way. In case of scenic overlooks which are constructed as to utilize the view across said highway, no sign shall be allowed which obscures the intended view.

(3) If there is an existing structure or building other than outdoor advertising structure within the 750 foot zone, a sign may be erected within said area provided that such sign does not otherwise obstruct the view of the area designated.

(4) Any areas falling under the above categories (1) (a), (b), (c), and (d) must be areas designated and maintained as such by a public governmental agency.

b. Interstate Highways and Freeways on the Primary System

(1) Zoned industrial or commercial area - spacing between signs along each side of the highway shall be a minimum of 750 feet. Back to back and V type signs may be erected at a single location. No structure may be located adjacent to or within 500 feet of an interchange, intersection at grade or a safety rest area. Said 500 feet to be measured along the edge of pavement along the Interstate or freeway highway from the beginning or ending of pavement widening at the entrance to and exit from the main traveled way.

(2) Unzoned industrial or commercial areas - spacing between signs along each side of the highway shall be a minimum of 1500 feet. Back to back and V type signs may be erected at a single location.

No structure may be located adjacent to or within 1000 feet of an interchange, intersection at grade or safety rest area.

Said 1000 feet to be measured along the Interstate or freeway highway from the beginning or ending of pavement widening at the exit from or entrance to the main traveled way.

c. Non-Freeway Primary Routes

(1) The location of signs shall conform to the following minimum criteria to be applied separately to each side of the primary highway:

(a) Spacing between signs along each side of the highway shall be a minimum of 250 feet. V type or back to back signs may be erected at a single location, but any such signs shall be at least 500 feet from any other sign on the same side of the highway.

(b) No sign may be located within 100 feet of an intersection (unless there is an existing building or structure other than outdoor advertising structure in said area).

d. EXPLANATORY NOTES

(1) Alleys, undeveloped rights-of-way, private roads and driveways, shall not be regarded as intersecting streets, roads or highways.

(2) Only roads, streets and highways which enter

directly into the main traveled way of the primary highway shall be regarded as intersecting.

(3) The minimum distances between signs of 250 feet and 750 feet shall be measured along the nearest edge of the pavement between points directly opposite the signs.

(4) On premise signs authorized by section 24-10.1-3 (a) (b) (c) of the General Laws of Rhode Island shall not be considered for purposes of measurement.

3. GENERAL

- a. No signs may be located on the same side of the main traveled way within 250 feet of a major official guide sign.
- b. All signs shall be set back at least 25 feet from the nearest edge of right-of-way except in areas zoned by authority of law either industrial or commercial where the setback established by such authority will be observed.
- c. No sign may be erected or maintained which contains, includes or is illuminated by any flashing, intermittent or moving light or lights, except in use of public information devices which indicate the correct time and temperature.
- d. No sign shall be erected in any area regardless of zoning or other considerations in areas either of natural or manmade scenic beauty or historical significance and designated as such by the Department.

- B. Notwithstanding anything contained in these Rules and Regulations should any activity which has been used in defining and delineating an unzoned area after the effective date of these regulations cease to operate for a period of six (6) months, the unzoned areas shall be redefined and redelineated based on the remaining activity. Any signs located within the former unzoned area, but located outside the unzoned area based upon its new dimensions, shall become nonconforming under Chapter 24-10.1 of the General Laws of Rhode Island.
- C. Signs which are located in zoned and unzoned commercial and industrial areas which were legally erected in accordance with laws and regulations in effect at the time of their erection, but do not comply with the criteria contained in Section VI A of these Rules and Regulations may continue to be maintained. All such signs shall be classified as grandfather nonconforming and must comply with the requirements of Section VIII.

When highways are added to the Interstate and Primary system, standards contained in Section VI A shall apply only to signs erected in commercial or industrial zones and areas adjacent thereto subsequent to the date that such highways are added to the system.

VII. ON PREMISE SIGNS

A. A sign, display, or device will be considered to be an on premise sign if it meets the following requirements:

1. Premises - The sign must be located on the same premises as the activity or property advertised.
2. Purpose - The sign must have its purpose (a) the identification of the activity or its products or services, or (b) the sale or lease of property on which the sign is located, rather than the purpose of general advertising.

B. The following shall be used to determine whether a sign, display, or device is located on the same premises as the activity or property advertised:

1. The premises on which an activity is conducted is determined by physical facts rather than property lines, ownership, recorded plats and lots, etc. Generally, it is defined as the improved land occupied by the buildings or other physical uses that are necessary and customarily incident to the activity on a regular basis including such open spaces as are reasonably arranged and designed to be used in connection with such buildings or uses on a regular basis.
2. The following will not be considered to be a part of the premises on which the activity is conducted, and any signs located on such land will be considered "off-premise" advertising:
 - a. Any land which is not used as an integral part of the principal activity. This would include, but is not limited to, land which is separated from the activity by a roadway, highway, or other...

obstruction, and not used by the activity, and/or extensive undeveloped highway frontage contiguous to the land actually used by a commercial facility, even though it might be under the same ownership.

- b. Any land which is used for, or devoted to, a separate purpose unrelated to the advertised activity. For example, land adjacent to or adjoining a service station but devoted to raising of crops, residence, or farmstead uses or other commercial or industrial uses having no relationship to the service station activity would not be part of the premises of the service station, even though under the same ownership.
- c. Any land which is:
1. at some distance from the principal activity, and
 2. in closer proximity to the highway than the principal activity, and
 3. developed or used only in the area of the sign site, or between the sign site and the principal activity, and
 4. occupied solely by structures or uses which are only incidental to the principal activity, and which serve no reasonable or integrated purpose related to the activity other than to attempt to qualify the land for signing purposes. Generally, these will be inexpensive facilities, such as picnic, playground, or camping areas, dog kennels, golf-driving ranges,

skeet ranges, common or private roadways or easements, walking paths, fences, and sign maintenance sheds.

3. Narrow strips

Where the sign sight is located at or near the end of a narrow strip contiguous to the advertised activity, the sign site shall not be considered part of the premises on which the activity being advertised is conducted. A narrow strip shall include any configuration of land which is such that it cannot be put into any reasonable use related to the activity other than for signing purposes. In no event shall a sign site be considered part of the premises on which the advertised activity is conducted if it is located upon a narrow strip of land:

- a. which is nonbuildable land, such as swampland, marshland, or other wetland, or
- b. which is common or private roadway, or
- c. held by easement or other lesser interest than the premises where the advertised activity is located.

- C. The following shall be used for determining whether a sign, display, or device, has as its purpose the identification of the activity located on the premises or its products or services, or the sale or lease of the property on which the sign is located, rather than the business of outdoor advertising.

1. General

a. Any sign which consists solely of the name of the establishment is an on-premise sign.

b. A sign which identifies the establishment's principal or accessory products or services offered on the premises is an on-premises sign.

2. Business outdoor advertising

a. When a sign brings rental income to the property owner, consists principally of brandname or trade name advertising, and the product or service advertised is only incidental to the principal activity, it shall be considered the business of outdoor advertising and not an on-premise sign.

b. A sign which advertises activities conducted on the premises, but which also advertises, in a prominent manner, activities not conducted on the premises, is not an on-premises sign.

3. Sale or Lease signs

A sale or lease sign which also advertises any product or service not located upon and unrelated to the business of selling or leasing the land on which the sign is located is not an on-premise sign.

II. MAINTENANCE OF NONCONFORMING SIGNS

- A. The right to continue a nonconforming sign is not confined to the sign owner or any one individual or corporation using the land. Thus, a nonconforming sign may be sold, leased, or otherwise transferred without affecting its status. However, the location of the sign may not be changed.
- B. The sign must have actually been in existence at the time the applicable State law or regulations became effective.
- C. The right to maintain any nonconforming sign shall be terminated by:
 1. Abandonment of the sign. A nonconforming sign shall be deemed to be abandoned if, for a period of six (6) months, it ceased to display advertising content or displays obsolete or obliterated advertising content or for which no rent has been paid to the owner for a six month period or more. Obsolete or obliterated advertising content is advertising matter that does not identify a particular product, service or facility that is currently available to the motorist. An "available for lease" or similar message that concerns the availability of the sign itself does not constitute advertising matter.
 2. Increase of any dimension of the sign over its dimensions in existence at the time of the applicable State law or regulations became effective.
 3. Change any aspect of or in the character of the...

sign, including but not limited to enlargement, extension of the sign, replacement, or the addition or amplification of lighting.

4. Performing installation and maintenance of signs from within the right-of-way of access-controlled highways.
5. Damage to or destruction of the sign from any cause whatsoever, except by willful destruction, where the cost of repairing the damage or destruction exceeds fifty percent of the replacement cost of such sign on the date of damage or destruction. Any sign destroyed by criminal or tortious acts may be replaced upon a showing by the sign owner that the sign was so destroyed and upon written approval from the Department.
6. Deterioration of the sign where the cost of repairing or maintaining the sign exceeds fifty percent of the replacement cost of such sign on the date that the Department determines that the sign is obsolete.

D. Standards for Normal Maintenance and Minor Repairs

1. Normal maintenance shall include change of message, normal upkeep, and minor repairs.
2. Minor repairs, once determined by the Department that the cost will not exceed fifty percent of the replacement cost, shall be completed so far as to result in the sign being in satisfactory condition in the sole judgement of the Department. These repairs must be completed within ninety (90) days from date of notification to the sign owner to repair or the sign structure shall be removed as an illegal sign.

3. Replacement cost of a sign shall be determined by reference to the sign appraisal schedule in effect at the time of notification to the sign owner. This determination will be accomplished in the sole discretion of the Department.
4. If the cost to repair a sign is determined to be more than fifty percent of the replacement cost, the sign shall be deemed obsolete or destroyed and removed as an illegal sign.

IX. DIRECTIONAL SIGN STANDARDS

A. Size

1. No sign shall exceed the following limits:
 - a. Maximum area - 150 square feet
 - b. Maximum height - 20 feet
2. All dimensions include border and trim, but exclude supports.

B. Lighting

Directional signs may be illuminated, subject to the following:

1. Signs which contain, include, or are illuminated by any flashing, intermittent, or moving light or lights are prohibited.
2. Signs which are not effectively shielded so as to prevent beams or rays of light from being directed at any portion of the traveled way of any State highway or which are of such intensity or brilliance...

as to cause glare or to impair the vision of the driver of any motor vehicle, or which otherwise interfere with any driver's operation of a motor vehicle are prohibited.

3. No sign may be illuminated so as to interfere with the effectiveness of an official traffic sign, signal, or device, or obstruct or interfere with the driver's view of approaching, merging, or intersecting traffic.

C. Spacing

1. Each location of a sign must be approved by the Director of the Department.
2. No sign shall be located within 2,000 feet of an interchange, or intersection at a grade along the Interstate System or other freeways (measured along the Interstate or freeway from the nearest point of the beginning or the ending of pavement widening at the exit from or entrance to the main-traveled way).
3. No sign shall be located within 2,000 feet of a rest area, parkland, or scenic area.
4. No two signs facing the same direction of travel shall be spaced less than 1 mile apart.
5. Not more than three signs pertaining to the same activity and facing the same direction of travel shall be erected along a single route approaching the activity.
6. Signs located adjacent to the Interstate System shall be within 75 air miles of the activity.

7. Signs located to the Primary System shall be within 50 air miles of the activity.

8. Spacing between structures does not include public service signs.

D. Message Content

The one message allowed on each face of a directional sign shall be limited to the identification of the attraction or activity and directional information useful to the traveler in locating the attraction, such as mileage, route numbers, or exit numbers. Descriptive words or phrases, and pictorial or photographic representations of the activity or its environs are prohibited.

E. Selection Methods and Criteria

1. Privately owned activities or attractions eligible for directional signing are limited to the following: natural phenomena; scenic attractions; historic, educational, cultural, scientific, and religious site; and outdoor recreational areas.
 - a. Natural phenomena are limited to the following:
unusual rock formations, caves, geysers, and waterfalls as created by nature.
 - b. Scenic attractions would include scenic vistas and natural areas of general appeal.
 - c. Historic, educational, cultural, scientific, and religious sites are those having definite historic, educational, cultural, scientific, and religious significance. Descriptive plaques,

guides, or other information must be available to adequately explain the site's significance. The site must be within 10 miles of a State highway intersection with access on an adequate all-weather highway.

d. Outdoor recreational areas must be within 10 miles of a State highway intersection with access on an adequate all-weather road, and shall contain the following:

1. A minimum area of 10 acres, 50 percent of which must unoccupied "open space" accessible to the public.
2. State approved drinking water and toilet facilities.
3. Picnic area with tables, benches and litter barrels.
4. Adequate maintenance to keep all facilities in a clean, sanitary condition.
5. One of the following:
 - a. Supervised swimming area.
 - b. A suitable and readily accessible lake or stream open to public fishing.
 - c. A public boat landing.
 - d. A State approved campground.
 - e. A golf course or a driving range or tennis courts.
6. A play ground with equipment suitable for children.

2. To be eligible, privately owned attractions or activities must be regionally known, and of outstanding interest to the traveling public. In order to be considered to be regionally known, the activity must be recognized in at least two (2) travel guidebooks which include similar activities outside the State of Rhode Island.
3. Special selection methods and criteria to be used in determining whether or not an attraction or activity qualifies for this type of signing:
 - a. Any corporation must be registered with the Department or State and any other business must furnish proof of license if required by any State, city, or town agency.
 - b. If the attraction or activity is clearly visible from the main-traveled way, "on-premise" signs will suffice in lieu of directional signs.
 - c. The dominant attraction must be for edification and enjoyment of the motorist, not a tourist oriented roadside business. Prime purpose of the signs must be to direct the motorist and not to generate income to the activity.
 - d. Attraction or activity must be open to the public 12 months of the year.
 - e. No request for a private directional sign shall be disapproved or approved until the Director...

has performed an evaluation of the activity or attraction to be advertised.

X. RECLASSIFICATION OF SIGNS

Any sign which is lawfully erected and maintained and subsequently becomes nonconforming due to a revision in the State law or Rules and Regulations, a change in business activity, or rezoning by proper authority shall be acquired and removed upon the payment of just compensation in accordance with Chapter 24-10.1-6 of the General Laws of Rhode Island.

XI. PERMITS

A. Permits required - No person, firm, association, or corporation, whether engaged in the business of outdoor advertising or not, shall erect any sign within six hundred sixty feet (660) feet of the nearest edge of the right-of-way of the Interstate or Primary highway in this State, which advertising is visible from the main-traveled way of said highway and:

1. is located either in areas:
 - a. which are zoned industrial or commercial under authority of law; or
 - b. which are unzoned but are utilized by industrial or commercial activities as are herein described and delineated; or
2. is a directional or official sign in accordance with...

Section IX of these regulations;

without first obtaining a permit therefore from the Rhode Island Department of Transportation.

B. Application for Permits - a separate application for a permit shall be made for each separate sign as so defined in these regulations on a form furnished by the Rhode Island Department of Transportation, which application shall be signed by the applicant or his representative duly authorized in writing to act for him, and shall describe and set forth the size and shape of the sign, and its actual or proposed location with sufficient accuracy to enable the Department of Transportation to identify such and to find its proposed location, and any other information required under these rules and regulations as set forth by the Director of Transportation. Each application shall be accompanied by the written consent, or in lieu thereof a copy certified by the office authorized to take acknowledgments to deeds in this State, of the owner of the real property upon which sign is to be erected and maintained or of such other person having the legal right to grant such consent, or of the duly authorized agent of such owner.

C. Duration and renewal - permits issued hereunder shall expire on December 31, next following the date thereof unless sooner revoked by the Department of Transportation, and may be renewed upon application made upon forms furnished by the Rhode Island Department of Transportation.

- D. Revocation of Permit - the Department of Transportation shall have the right, after thirty (30) days notice in writing to the licensee, to revoke any permit granted if the sign fails to comply with all rules and regulations governing the erection of same. The sign then becomes unlawful advertising as stated in Chapter 24-10 of the General Laws of Rhode Island, 1956, as amended. If within the thirty (30) day period the licensee amends the sign to conform to the rules and regulations, the revocation will be amended.
- E. Identification of Sign - every sign erected under these Rules and Regulations shall be erected in the exact location described on the permit and shall have a clearly visible permit number; said number to be not less than two (2) inches in height for signs closer than 150 feet from the nearest edge of the right-of-way, and four (4) inches in height for signs located beyond 150 feet from the nearest edge of the right-of-way and are to be placed on the furthest left support post, 2 1/2 feet from the bottom of the sign; provided, however, that wherever a sign is erected on a single post, the number shall be placed on the face of the post under the sign. All signs having been issued a permit shall bear the clearly visible imprint of the permit number.

XII. SEVERABILITY

- A. If any section, clause, or provision of these Rules and Regulations shall be held either unconstitutional or

ineffective in whole or in part, to the extent that it is not unconstitutional or ineffective, it shall be valid and effective and no other section, clause or provision shall on account thereof be termed invalid or ineffective.

XIII. EFFECTIVE DATE

These Rules and Regulations are hereby adopted by the undersigned on this day of A.D. 19 and shall be effective twenty (20) days after filing a certified copy hereof in the office of the Secretary of State.

Matthew J. Gill, Jr.
Director of Transportation
State of Rhode Island & Providence
Plantations

C E R T I F I C A T I O N

I certify that the foregoing is a true and exact copy of Rules and Regulations of the Director of Transportation of the State of Rhode Island governing the insurance of permits for the erection and maintenance of Outdoor advertising adopted on September 12, 1980, pursuant to Chapter 24-10.1 of the General Laws of Rhode Island, 1956, as amended, entitled "Outdoor Advertising".

Date: _____

Matthew J. Gill, Jr.
Director of Transportation

S. Clifford, Esq. 9/8/88

BILLBOARD REGULATIONS AMENDMENTS

XI. PERMIT

B. Application for Permits - A separate application for a permit shall be made for each separate sign as so defined in these regulations on a form furnished by the Rhode Island Department of Transportation; which application shall be signed by the applicant or his representative duly authorized in writing to act for him, and shall describe and set forth the size and shape of the sign, and its actual or proposed location with sufficient accuracy to enable the Department of Transportation to identify such and to find its proposed location, and any other information required under these rules and regulations, as set forth by the Director of Transportation. Each application shall be accompanied by the written consent, or in lieu thereof, a copy certified by the office authorized to take acknowledgements to deeds in this State, of the owner of the real property upon which such sign is to be erected and maintained, or of such other person having the legal right to grant such consent, or of the duly authorized agent of such owner. Each application shall also be accompanied with a non-refundable fee of \$200. RIDOT shall respond to the completed application within a reasonable time not to exceed sixty (60) days unless so extended by RIDOT. (NOTE: New language underlined.)

C. Duration and Renewal - Permits issued hereunder shall expire on December 31, next following the date thereof unless sooner revoked for cause by the Department of Transportation, and shall be renewed upon application

made upon forms furnished by the Rhode Island Department of Transportation, together with a fee of \$100. (NOTE: New language underlined.)

Add a new Section F to read as follows:

F. APPEAL

1. Any applicant aggrieved by a final written decision of a subordinate official of the Department of Transportation, may within thirty (30) days after receipt of said written decision, appeal in writing to the Director of Transportation.

2. Any applicant aggrieved by a final written decision of the Director, may within thirty (30) days after receipt of said written decision, appeal to the Superior Court in Providence County by filing a complaint pursuant to the Rhode Island General Laws, 42-35-15, as amended.

VI. A. SIGNS IN COMMERCIAL AND INDUSTRIAL AREAS

2. SPACING OF SIGNS

b. Interstate Highways and Freeways on the Primary System

(1) Zoned industrial or commercial area - spacing between signs along each side of the highway shall be minimum of 750 feet. Back to back and V-type signs may be erected at a single location. No structure may be located adjacent to or within 500 feet of an interchange, intersection at grade or a safety rest area. Said 500 feet to be measured along the edge of pavement along the Interchange or freeway highway from the beginning or ending of the pavement widening at the

entrance to and exit from the main travelled way. Said distance limitation shall be measured separately for each direction of travel. (NOTE:

New language underlined.) BILLBOARD REGULATIONS AMENDMENT

III. DEFINITIONS -- add a new Section M to read as follows:

M. Interchange means a system of interconnecting roadways in conjunction with one or more grade separations that provides for the movement of traffic between two or more roadways or highways on different levels. Interchanges may be of various types or a combination of types as set forth in "A Policy on Geometric Design of Highways and Streets" 1984, published by American Association of State Highway and Transport Officials, as may be amended, which is incorporated by reference.

(NOTE: The current Section M -- Interstate System becomes Section N and so forth.)

City of Providence



Rhode Island

Department of City Clerk

MEMORANDUM

DATE: May 2, 1997

TO: Anthony Annarino, City Collector

SUBJECT: CHECK DEPOSITED FOR ABANDONMENT OF
PROPERTY

CONSIDERED BY: Michael R. Clement, City Clerk

DISPOSITION: Accompanying is check number 8031 with Fleet Bank in the amount of \$10,000.00 from Cheaters, Inc., for deposit for abandonment of a portion of Bay Street in accordance with Resolution No. 644, approved November 22, 1996, to be deposited into the Mayor's Improvement Fund (Fund 842).

cc: Thomas Deller, Deputy Director
Planning and Development
John D'Amico, Assistant City Solicitor

City Clerk

CHEATERS, INC.

REMITTANCE ADVICE

57-1
115

8031

CHECK
AMOUNT

PAY *Ten Thousand 00/100*

DOLLARS

DATE	TO THE ORDER OF	DESCRIPTION	CHECK NO.	AMOUNT
4/29/97	City of Providence	BAY ST. LAND		\$ 10,000.00



Alfred Topolano

⑈00803⑈ ⑆0⑆15000⑆0⑆93652 05042⑈

SECURITY FEATURES: MICRO PRINT BORDERS - COLORED BRICK PATTERN - WATERMARK & CARBON STRIP ON REVERSE SIDE - MISSING FEATURE INDICATES A COPY

DEPARTMENT OF TRANSPORTATION
PROPERTY & RIGHT-OF-WAY
17 STATE OFFICE BLDG., TWO CAPITOL HILL
PROVIDENCE, RHODE ISLAND 02933



45

Mr. Michael R. Clement, City Clerk
Office of City Clerk
Providence City Hall
25 Dorrance Street
Providence, RI 02903-1789