



Committee on Ordinances
Regular Meeting

~ Agenda ~

Wednesday, February 24, 2016

5:30 PM

Committee "A" (City Hall 3rd Floor)

1. An Ordinance Amending Chapter 16, Section 16-129, Entitled: "False Alarm Assessment Schedule."
2. An Ordinance Amending Chapter 9, Section 9-94, Entitled, "Excessive Avoidable False Fire Alarm Fees."
3. An Ordinance Amending Chapter 14, "Licenses," to add a new section, 14-17, Entitled, "Granting of Licenses to Establishments with matters pending before the Board of Licenses Prohibited."
4. An Ordinance in Amendment of Chapter 27 of the Code of Ordinances of the City of Providence Entitled: "The City of Providence Zoning Ordinance" Approved June 27, 1994, As Amended. (53 Doyle Avenue)
5. Petition from Sean Harrington, 3 Branch LLC, and Timothy Harrington, Oak Ridge, LLC, requesting to change the zoning designation on Assessor's Plat 71, Lot 563 and Assessor's Plat 74, Lots 1, 3, 8, and 9 on the Public Right of Ways know as Flora Street, Branch Avenue and Metcalf Street from C-1 to C-2.

PER ORDER THE COMMITTEE ON ORDINANCES
Councilman Terrence M. Hassett, Chairman

The foregoing Committee may seek to enter into Executive Session.

Offices and City Council Chambers are accessible to individuals with disabilities. If you are in need of interpreter services for the hearing impaired, please contact the Office of Neighborhood Services at 421-7768 not less than 48 hours in advance of the hearing date.

City of Providence
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

CHAPTER

No. **AN ORDINANCE AMENDING CHAPTER 16, SECTION 16-129,
ENTITLED: "FALSE ALARM ASSESSMENT SCHEDULE"**

Be it ordained by the City of Providence:

SECTION 1. Chapter 16, Section 16-129, "False alarm assessment schedule," is hereby amended as follows:

Sec. 16-129. - False alarm assessment schedule.

(a) After ~~three (3) separate~~ one (1) security alarm system false alarms from an individual user at a single address have been placed in the file, the alarm user will be notified by the chief of police via first class mail that subsequent false alarms will cause the alarm user to be assessed monetary charges as follows: ~~\$50.00~~ \$100.00 for each subsequent false alarm in the fiscal year (beginning July 1 through June 30).

(b) All charges assessed hereunder shall be made payable to the city for deposit into the general fund.

(c) The provisions of this section shall not apply to security alarm systems owned and/or operated by agencies of the city.

(d) A grievance board will be formed consisting of two members of the city police department designated by the chief of police, one (1) member of the city council designated by the president of the council, and two (2) members of the Alarm Association of Rhode Island designated by the Alarm Association, to review any appeals related to the enforcement of false alarms. If an alarm user has a grievance with the city police department, the user must have his or her alarm servicing company transmit a letter to the grievance board verifying that the alarm company is making every effort to resolve the false alarm problem.

(e) The board shall have the authority to promulgate rules and regulations as needed.

(f) The provisions of this section shall not apply to security alarm systems owned and/or operated by any governmental agencies.

SECTION 2. This ordinance shall take effect upon passage.

City of Providence
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

CHAPTER

No. **AN ORDINANCE AMENDING CHAPTER 9, SECTION 9-94, ENTITLED, "EXCESSIVE AVOIDABLE FALSE FIRE ALARM FEES"**

Be it ordained by the City of Providence:

SECTION 1. Chapter 9, Section 9-94, "Excessive avoidable false fire alarm fees," is hereby amended as follows:

Sec. 9-94. - Excessive avoidable false fire alarm fees.

(a) Findings.

- (1) The city council finds that high incidence of false alarms and/or malfunctions causes a significant diversion of the manpower and resources of the fire department by causing the dispatch of units to the scene of a false alarm or alarm malfunction which renders them out of service and unavailable to respond to legitimate emergency situations.
- (2) The city council finds that the continued high incidence of false alarms and/or malfunctions are a threat to the health, safety and welfare of the citizens of the city.
- (3) The city council finds that a revision of the procedures to control excessive multiple false alarms and alarm malfunctions would serve the public health, safety and welfare.

(b) Definitions.

(1) *Avoidable false alarm* mean the activation of any alarm which results in the response of the fire department and is caused by the negligence or intentional misuse (including such activation caused by heat, smoke or fire) of the system by the owner or his/her/its employees, servants, agents or guests or any other activation including activation caused by heat, smoke or fire, but shall exclude a false alarm malfunction as defined below.

(2) *Avoidable fire alarm malfunction* means the activation of any alarm which results in the response of the fire department and such activation is caused by mechanical failure, malfunction, improper installation or lack of proper maintenance; and for any other response for which the fire department personnel are unable to gain access to the premises for any reason, or are unable to determine, after reasonable inquiry, the apparent cause of the alarm activation.

(c) The owner of any premises shall be responsible for any avoidable false alarms and avoidable false alarm malfunctions occurring at those premises. Incidents shall be cumulative for all realty held in that name. The following fees shall be assessed for avoidable false alarms and avoidable false alarm malfunctions, per annum:

Incidents	Fees
0-10	\$0.00 <u>\$100.00</u> per incident
11-20	50.00 <u>\$150.00</u> per incident
<u>21</u> -50	200.00 per incident
In excess of 50	300.00 per incident

SECTION 2. This ordinance shall take effect upon passage.

City of Providence
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

CHAPTER

No. **AN ORDINANCE AMENDING CHAPTER 14, "LICENSES," TO ADD A NEW SECTION, 14-17, ENTITLED, "GRANTING OF LICENSES TO ESTABLISHMENTS WITH MATTERS PENDING BEFORE THE BOARD OF LICENSES PROHIBITED"**

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 section:

Sec. 14-17. Granting of licenses to establishments with matters pending before the board of licenses prohibited.

It shall be unlawful to grant new or additional licenses to any establishment with an open matter before the board of licenses. This shall include but is not limited to any establishment with a pending show cause hearing, that has had a matter continued but not resolved by the board of licenses, or any establishment with a pending appeal.

SECTION 2. This ordinance shall take effect upon passage.

City of Providence
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

CHAPTER

No. **AN ORDINANCE IN AMENDMENT OF CHAPTER 27 OF THE CODE OF ORDINANCES OF THE CITY OF PROVIDENCE ENTITLED: "THE CITY OF PROVIDENCE ZONING ORDINANCE" APPROVED JUNE 27, 1994, AS AMENDED**

Be it ordained by the City of Providence:

Section 1. Chapter 27 of the Code of Ordinances of the City of Providence is further amended by changing the zoning district designation of Lot 218, on Zoning District Map 8 of the Official Zoning Map from R-3 to R-M.

Said zone change shall permit on Lot 218, Zoning District Map 8, without any further approvals, five (5) dwelling units. This limitation shall be noted on the face of the official zoning map and recorded on the property records.

Section 2: This Ordinance shall take effect upon passage.