

(The following is not a verbatim transcript of comments or discussion that occurred during the meeting, but rather a summarization intended for general informational purposes. All motions and votes are the official records).

ORDINANCE COMMITTEE

Regular meeting of the Ordinance Committee was held on Thursday, April 12, 2012 in the Council Chambers, City Hall, Cranston, Rhode Island.

CALL MEETING TO ORDER:

The meeting was called to order at 6:05 P.M. by the Chair.

Present: Councilman Paul H. Archetto, Chair
Councilman Steven A. Stycos, Vice-Chair
Councilman James E. Donahue
Council President Anthony J. Lupino

Absent: Council Vice-President Emilio L. Navarro

Also Present: Councilman Michael W. Favicchio
Gerald Cordy, Director of Administration
Evan Kirshenbaum, Assistant City Solicitor
Robert Strom, Director of Finance
Steve Woerner, City Council Internal Auditor
Maria Medeiros Wall, City Clerk
Rosalba Zanni, Assistant City Clerk/Clerk of Committees
Jane Cormier, Stenographer

*Councilwoman Bucci. Not in attendance due to Temporary Restraining Order issued April 3, 2012 Saccoccio v. City Council C.A. P12-1561

MINUTES OF THE LAST MEETING:

On motion by Council President Lupino, seconded by Councilman Stycos, it was voted to dispense with the reading of the minutes of the last meeting and they stand approved as recorded. Motion passed unanimously.

CORRESPONDENCE:

Council President Lupino stated that Council Vice-President Navarro is excused and Councilwoman Bucci is not present due to a Temporary Restraining Order issued by the Court.

OLD BUSINESS:

12-11-6 Ordinance in amendment of Chapter 2 of the Code of the City of Cranston, 2005, "Administration and Personnel" (Repeal Classified Service). Cont. 3/15/2012. [[click here to view](#)]

Councilman Donahue, Sponsor of this Ordinance, asked that it be withdrawn.

PUBLIC HEARINGS/NEW BUSINESS:

3-12-1 Ordinance in amendment of Title 10, Chapter 28 of the Code of the City of Cranston, 2005, entitled "Motor Vehicles and Traffic" (Overnight Parking Permits). [[click here to view](#)]

No one appeared to oppose to this Ordinance.

On motion by Councilman Stycos, seconded by Council President Lupino, it was voted to recommend approval of this Ordinance.

Under Discussion:

Councilman Stycos presented a copy of e-mails he received from the Parking Administrator from the City of Providence. He stated that the reasons to adopt this Ordinance are to create some revenue, which the City needs and also people in his Ward are starting to pave over the yards to create parking spaces and people complain to him regarding this. He suggested trying a pilot program in a couple of areas in the City.

Council President Lupino asked how we would go about establishing a fair warning system and who would issue the permits and questioned if it would be the City Clerk's office. This is not addressed in the Ordinance.

Mr. Woerner stated that in the City of Providence, the permits are issued by Municipal Court at this time. They are trying to have them be issued online or by mail.

Councilman Donahue asked how much is being taken in in revenue for overnight parking. Mr. Cordy stated that for Fiscal Year 2011, \$183,419 worth of parking tickets were issued, of which they generated payments to date of over \$157,000. Councilman Donahue asked if Colonel Palombo addressed any concerns to the Administration regarding this Ordinance. Mr. Cordy stated that a concern Colonel Palombo has is the validating of the residency. He feels it would take another full time person to do these checks and issue permits if they were issued by the Police Department. He feels there is no way of knowing what kind of impact it may have on revenue we are currently collecting on parking tickets. Mr. Cordy also stated that the Colonel also thinks there would be problems with the emergency vehicles on a 24-hr a day, seven days a week.

Councilman Donahue stated that he would like the Administration to report on how this gets executed operationally and he would like to see some projections on how many permits we would have to issue every year and asked the Administration to put together an implementation plan, as well as a fiscal note on this Ordinance.

Mr. Cordy stated that Administration has some concerns as does Colonel Palombo with enforcement. Colonel Palombo has indicated that they would need an additional fulltime staff person if these were to be issued by the police department.

City Clerk stated that before additional duties are added to the department that the staffing situation needs to be considered. The staff has been reduced significantly and the work load has increased as well. If the Police Department would need another full time staff person to handle the issuance, her department would also need additional staffing though a part-time person, would probably be sufficient.

Council President Lupino stated that he is concerned about line #111 of the Ordinance as to the effectiveness of this Ordinance. He questioned if it is advisable to pass the Ordinance and determine the implementation and then revisit it or should the implementation be addressed first.

Solicitor Kirshenbaum stated that from a legal view, it is prudent to have implementation strategy in place. He indicated that there is no fiscal note attached to the Ordinance. He suggested that if there is a particular area to be tried as a pilot program, the Traffic Engineer and the Police Department and Fire Department make sure which streets are suitable.

Councilman Stycos asked if the Administration needs more then a month to obtain more information regarding this Ordinance. Mr. Cordy stated that it is going to take a fair amount of research. He can report back in a month and if more time is needed, the Committee can continue this Ordinance again.

On motion by Councilman Stycos, seconded by Council President Lupino, it was voted to continue this Ordinance to consider findings from the Administration. Motion passed unanimously.

MISCELLANEOUS BUSINESS:

Councilman Stycos questioned the status of the Redistricting Plan. Chair stated that his understanding is there is a new map being drawn regarding Wards 4 & 5. Council President Lupino stated that he has not heard back from the Canvassing Clerk. His request was submitted to have Map "Q" re-drafted.

Councilman Donahue stated that at the last Ordinance Committee meeting, the Committee approved a map. Now there is an amendment. He questioned if there will be another Ordinance Committee meeting for the Committee to approve that amended map. Chair stated that if the Committee wishes, yes. It would have to be a majority of the Ordinance Committee to petition the Canvassing Clerk to have another Ordinance Committee meeting.

Councilman Donahue stated that the Committee has already approved a map, how can it be amended without the Ordinance Committee holding another hearing.

Councilman Stycos asked the Administration to have the Canvassing Office notify the City Council, through e-mail, as to the timeline to have this Plan adopted. City Clerk stated that after speaking with the Canvassing Clerk, she would need the Plan approved by the end of this month.

The meeting adjourned at 6:45 P.M.

Respectfully submitted,



Rosalba Zanni
Assistant City Clerk/Clerk of Committees

THE CITY OF CRANSTON

ORDINANCE OF THE CITY COUNCIL

IN AMENDMENT OF CHAPTER 2 OF THE CODE OF THE CITY OF CRANSTON, 2005, ENTITLED "ADMINISTRATION AND PERSONNEL" (Repeal Classified Service)

No.

Passed

Anthony J. Lupino, Council President

Approved

Allan W. Fung, Mayor

It is ordained by the City Council of the City of Cranston as follows:

SECTION 1. Section 80 of Chapter 2 of the Code of the City of Cranston, 2005, entitled "Personnel" is hereby repealed in its entirety:

[2.80.140

Current employees of the City on the date of passage of this amendment who are serving in positions other than those listed in Charter Section 14.04 and who are not presently in the classified service shall be entered into the classified service in their positions without examination if the employee has completed one year of employment in such position. Such employee's time in service count toward their probationary period as required by City Charter Section 14.07.]

SECTION 2. This Ordinance shall take effect upon its final adoption.

Positive Endorsement

Negative Endorsement (attach reasons)

Christopher M. Rawson, Solicitor Date

Christopher M. Rawson, Solicitor Date

Sponsored by: Allan W. Fung, Mayor
James E. Donahue, Councilman

Referred to Ordinance Committee January 12, 2011

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THE CITY OF CRANSTON

ORDINANCE OF THE CITY COUNCIL
IN AMENDMENT OF TITLE 10, CHAPTER 28 OF THE CODE OF THE CITY
OF CRANSTON, 2005, ENTITLED "VEHICLES AND TRAFFIC"
(Overnight Parking Permits)

Passed:

Anthony J. Lupino, Council President

Approved:

Allan Fung, Mayor

It is ordained by the City Council of the City of Cranston as follows:

Section 1. Chapter 10.28, entitled " STOPPING, STANDING, AND PARKING
GENERALLY" is hereby amended by adding thereto the following:

10.28.091- Overnight Parking Pilot Program

A. Residents of Cranston may obtain a Residential Parking Permit from the
Cranston Police Department. Residents of Cranston may obtain a 1 year Residential
Parking Permit for a fee of one hundred dollars (\$100), which would allow on-street
parking to holders of the permit, so long as the holders of the permit do not violate other
citywide parking restrictions, any other parking ordinance(s), or any restriction including
within this chapter.

B. Residency within the City of Cranston must be proven when applying for
the Residential Parking Permit. Residency within the City may be proven through a copy
of a deed, utility bill, tax bill, rent receipt or other accurate means of proving residency in
Cranston. Should an applicant submit a fraudulent address or fraudulent registration, the
permit shall be voided without refund, and a fine shall be assessed against the original
applicant in the amount of two hundred and fifty dollars (\$250). The application for the
Residential Parking Permit must include an affidavit attesting that information included
for this part of the submission is true and accurate.

C. ly vehicles registered in Rhode Island may be issued a Residential Parking
Permit. Applicants must submit proof that their vehicle is registered in the State of Rhode
Island. All outstanding parking tickets must be paid. Furthermore, all outstanding
vehicle taxes must be paid and up to date. The application for the Residential Parking

46 Permit must include an affidavit attesting that information included for this part of the
47 submission is true and accurate.

48

49 D.Special Rules for other vehicles and circumstances

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51 1. No commercial vehicles are eligible for Residential Parking Permit(s). Only
52 standard issued passenger plates, such as but not limited to, veterans plates, prisoner of
53 war plates, purple heart plates, Boston Red Sox plates, Patriots Plates, and handicapped
54 plates.

55

56 2. Leased cars may be issued a Residential Parking Permit if the leased car is
57 principally garaged in Cranston. The owner of the vehicle applying for a Residential
58 Parking Permit must, in addition to complying with the registration and residency
59 requirements of this chapter, submit a copy of the lease agreement with the application.

60

61 3. Rental Cars may be issued a Residential Parking permit if said rental car is being
62 used by a resident of Cranston if the resident's primary automobile is unavailable do to
63 an accident, repair work, or other unforeseen event. The maximum duration that a rental
64 car may be issued a Residential Parking Permit is sixty (60) days.

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66 4. Residents of dorms on a college or university campus within the City of Cranston
67 may not be issued a Residential Parking Permit

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69 5. Residents which reside in a complex or dwelling that contain more than five (5)
70 units, including but not limited to condominiums and apartments, may not obtain a
71 Residential Parking Permit.

72

73 E. Payment of the one hundred dollar (\$100) fee is due when the application
74 is submitted to the City. Payment shall be made through cash or money order, and shall
75 be made payable to the City of Cranston. The Residential Parking Permit will expire one
76 year from the date of issuance by the City.

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78 F.se and Restrictions of the Residential Parking Permit

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80 1. Residential Parking Permits allow holders to lawfully park overnight on streets.
81 This does not allow holders of the permit to overcome any other parking restriction or
82 ordinance in the City including, but not limited to, current designated no parking areas,
83 no parking in crosswalks, no parking in front of fire hydrants, parking bans for snow
84 removal or other City maintenance or any other parking ban found within the Cranston
85 Municipal Code.

86

87 2. A Residential Parking Permit may not be transferred to another automobile or
88 another person.

89

90 3. There is a strict limit of two (2) Residential Parking Permits per address.

91 4. If a Resident moves to another area of Cranston, different from the address to
 92 which the Residential Parking Permit was used, the holder of the permit must update their
 93 information with the City. There will be no additional cost for updating this information.
 94

95 5. Should a resident move out of the City of Cranston permanently, the holder of the
 96 permit must notify the City of Cranston of the change of address. The Residential
 97 Parking Permit shall be voided if the holder permanently moves to a different
 98 municipality.
 99

100 **Section 2.** Chapter 10.28, entitled " STOPPING, STANDING, AND PARKING
 101 GENERALLY" is hereby amended by adding thereto the following:
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103 **10.28.90- All Night Parking Prohibited**
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105 It shall be unlawful for the operator of any vehicle to park the same on any street
 106 for a period of time longer than two hours between the hours of 1:00 a.m. and 7:00 a.m.
 107 of any day unless the operator of the vehicle has obtained a Residential Parking Permit
 108 pursuant to 10.28.090.
 109

110 **Section 3.** This Ordinance shall take effect upon its final adoption.
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 114 Positive Endorsement Negative Endorsement (attach reasons)

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 118 _____
 Christopher Rawson, City Solicitor

119 _____
 Christopher Rawson, City Solicitor

120 Date

Date

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 123 Sponsored by: Councilman Stycos

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 126 Referred to Ordinance Committee April 12, 2012
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