

Draft Charter Amendment Questions for Discussion

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4 1. Shall the Town Charter, Preamble, be amended to remove the words “and Providence
5 Plantations” from the name of the State of Rhode Island, to conform to the amendment of
6 the Rhode Island Constitution in November 2020?
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Explanation

8 [If approved, this amendment will remove the words “and Providence Plantations” from
9 the name of the State of Rhode Island.]
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- 12 2. Shall the Town Charter be amended at Part 1, Establishment of Town; Effect of Charter,
13 Article V, Real and Personal Property Held by Town, § C-16 Granting Use of Property;
14 regulation for use: to insert the words “or designated official” to make the provision
15 language consistent throughout the paragraph. The words “or designated official” would
16 be inserted as follows: The Council by ordinance or by general or special rule may from
17 time to time authorize, or grant any elected or appointed official, commission, committee
18 or board of the town power to authorize, such incidental use of the real and personal
19 property of the town for conventions, tournaments, performances, meetings and other
20 business, social and recreational events as has been granted in the past or may hereafter
21 be desirable, and as may reasonably contribute to the public use, service or welfare of the
22 people, and which the Council, or designated official, or other town body finds will not
23 interfere with any essential business or function of the government for which that
24 property may be held. The Council, or designated official or other town body under
25 authority of the Council, may from time to time grant or retain priorities in use for
26 inhabitants of the town or for certain organizations or public uses, may establish rules and
27 regulations and fix charges for the various use and users or, subject to any expenses being
28 within an appropriation of the Financial Referendum, may omit the charge for such use;
29 provided, however, that no use shall be granted for purely private purposes without
30 charge.
31

Explanation

32 [If approved, this amendment would make the provision language consistent throughout
33 the paragraph.]
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- 36 3. Shall the Town Charter be amended at Part 2, Town Council, Article IX, Ordinances, §
37 C-33, Introduction, to be amended as follows: Every proposed ordinance, other than an
38 emergency ordinance, shall be read a first time by title and explained by its sponsor at the
39 meeting at which it is to be introduced. An affirmative vote of three (3) of the members
40 of the Council shall be necessary for its introduction. A date shall be set for a hearing on
41 the proposed ordinance. At least seven (7) calendar days prior to the hearing, ~~the~~
42 ~~proposed ordinance shall be published in a newspaper having distribution within the town~~
43 a summary of the proposed ordinance, including a description of the matter under
44 consideration and the intent and effect of the proposed ordinance, shall be published in a
45 newspaper of general circulation within the Town, with the full text of the proposed
46 ordinance made available on the Town’s official website. The summary shall include

47 directions on where to locate the proposed ordinance. With respect to zoning ordinances
48 or amendments thereto, all notice and hearing requirements shall be conducted in strict
49 compliance with R.I. Gen. Laws § 45-24-53, as amended. Nothing herein shall be
50 construed to limit or supersede any applicable requirement of state law.

51
52 Explanation

53 [If approved, this amendment will remove the requirement to publish in the newspaper
54 the entire proposed ordinance, and in the alternative allow a summary of the proposed
55 ordinance to be published in the newspaper of general circulation within the Town,
56 provided that the full text of the proposed ordinance is available to view on the Town's
57 web site.]

- 58
59 4. Shall the Town Charter be amended at Part 3, Administrator, Article X, Appointment and
60 Qualifications, § C-41 Appointment; term, Paragraph (c), to insert the word "of" to
61 resolve a scrivener's drafting error? The word "of" would be inserted as follows: If a
62 majority of the Council decide during the term of the probationary period that the
63 Administrator should not be retained for any reason, the Administrator shall be paid three
64 (3) months pay and benefits and the amount of pay and benefits for the balance of the
65 probationary period under the terms of his hiring, but no more than a total of six (6)
66 months of pay and benefits.

67
68 Explanation

69 [If approved, this amendment will resolve the scrivener's drafting error.]

- 70
71 5. Shall the Town Charter be amended at Part 3, Administrator, Article XIV, Acting
72 Administrator, § C-46 Appointment for temporary absences, to insert the word "to" to
73 resolve a scrivener's drafting error? The word "to" would be inserted as follows: The
74 Council in the absence of the Administrator for thirty (30) days or less may designate any
75 appointed town official other than a currently serving Council member to perform the
76 duties of the Administrator. This appointment is only applicable when the absence is of a
77 temporary nature, i.e., vacation, temporary disability, sickness or to perform professional
78 services out of town for short periods of time. A resolution shall be adopted to provide
79 for the appointment of an Acting Administrator in the event of a temporary, unscheduled
80 absence of the Administrator.

81
82 Explanation

83 [If approved, this amendment will resolve the scrivener's drafting error.]

- 84
85 6. Shall the Town Charter be amended at Part 5, Article XVIII Clerk and Deputy Clerk (§
86 C-51, Paragraph A, to insert a comma " ," after the word interviews to resolve a
87 scrivener's drafting error? The comma " ," would be inserted as follows: The Town
88 Administrator and a search committee composed by the Town Administrator, shall
89 review the qualifications, conduct interviews, obtain the appropriate reference checks and
90 forward to the Council all resumes and references if requested by any Council member.
91 Additionally, the same text and missing comma with regard to the Treasurer appears in §
92 C-56; with regard to the Tax Collector in § C-59; with regard to the Tax Assessor in § C-

93 64, Subsection A; with regard to the Director of Public Works in § C-105, Subsection A;
94 with regard to the Building Inspector in § C-112; with regard to the Director of Parks and
95 Recreation in § C-125; and with regard to the Town Planner in § C-129, Subsection A.
96

97 Explanation

98 [If approved, this amendment will resolve the scrivener's drafting error.]
99

- 100 7. Shall the Town Charter be amended at Part 5, Article XIX Duties of Clerk, § C-53
101 Enumeration, Paragraph I, to insert the word "of" to resolve a scrivener's drafting error?
102 The word "of" would be inserted as follows: Perform such other duties as may be
103 prescribed by this Charter, the Council, the Administrator or by ordinance, or in
104 accordance with the provisions of the General and Special Laws of the State of Rhode
105 Island pertaining to Town Clerks now or later in effect.
106

107 Explanation

108 [If approved, this amendment will resolve the scrivener's drafting error.]
109

- 110 8. Shall the Town Charter be amended at Part 6 Finance, Article XXIII Tax Assessment, §
111 C-65, Duties of Tax Assessor, to insert the word "in" to resolve a scrivener's drafting
112 error? The word "in" would be inserted as follows: The Assessor shall be responsible for
113 the fixing of an assessed valuation, for purposes of taxation, on all taxable real estate and
114 personal property, an excise value on motor vehicles, and for the preparation of an
115 assessment roll and a tax roll for the town in the manner provided by law and ordinance.
116

117 Explanation

118 [If approved, this amendment will resolve the scrivener's drafting error.]
119

- 120 9. Shall the Town Charter be amended at Part 6 Finance, Article XXVII Purchasing, § C-
121 103, Policy, Paragraph C, For construction purchases, Sub-Paragraph (ii) to clarify the
122 Policy in the event that a proposed purchase is exactly \$10,000.00? The provision would
123 be amended by inserting the following language as follows: (ii) For amounts which are
124 greater than three thousand dollars (\$3,000) but ~~less than~~ do not exceed ten thousand
125 dollars (\$10,000), the purchase shall be considered a small purchase and approved by the
126 purchasing agent only after three written quotes have been obtained by the Town
127 department and/or division seeking the purchase.
128

129 Explanation

130 [If approved, this amendment would clarify the Policy in the event that a proposed
131 purchase is exactly \$10,000.00 would be considered a small purchase.]
132

- 133 10. Shall the Town Charter be amended at Part 6 Finance, Article XXVII Purchasing, § C-
134 103, Policy, Paragraph C, For construction purchases, New Sub-Paragraph (iv) to have
135 the Policy consistent with R.I. Gen. Law §45-55-9 to allow small purchases amounts to
136 be increased or decreased annually at the same rate as the Boston Regional Consumer
137 Price Index. The provision would be added by inserting the following language as
138 follows: (iv) These stated purchase limits shall be increased or decreased annually

139 hereafter at the same rate as the Boston Regional Consumer Price Index, as per R.I. Gen.
140 Law §45-55-9, as amended.

141
142 Explanation

143 [If approved, this amendment would allow small purchases amounts to be increased or
144 decreased annually at the same rate as the Boston Regional Consumer Price Index.]

- 145
146 11. Shall the Town Charter be amended at Part 6 Finance, Article XXVII Purchasing, § C-
147 103, Policy, Paragraph D, For all other purchases, Sub-Paragraph (ii) to clarify the Policy
148 in the event that a proposed purchase is exactly \$5,000.00? The provision would be
149 amended by inserting the following language as follows: For amounts which are greater
150 than three thousand (\$3,000) but ~~less than~~ do not exceed five thousand dollars (\$5,000),
151 the purchase shall be considered a small purchase and approved by the purchasing agent
152 only after three written quotes have been obtained by the Town department and/or
153 division seeking the purchase.

154
155 Explanation

156 [If approved, this amendment would clarify the Policy in the event that a proposed
157 purchase is exactly \$5,000.00 would be considered a small purchase.]

- 158
159 12. Shall the Town Charter be amended at Part 6 Finance, Article XXVII Purchasing, § C-
160 103, Policy, Paragraph D, For construction purchases, New Sub-Paragraph (iv) to have
161 the Policy consistent with R.I. Gen. Law §45-55-9 to allow small purchases amounts to
162 be increased or decreased annually at the same rate as the Boston Regional Consumer
163 Price Index. The provision would be added by inserting the following language as
164 follows: (iv) These stated purchase limits shall be increased or decreased annually
165 hereafter at the same rate as the Boston Regional Consumer Price Index, as per R.I. Gen.
166 Law §45-55-9, as amended.

167
168 Explanation

- 169 13. [If approved, this amendment would allow small purchases amounts to be increased or
170 decreased annually at the same rate as the Boston Regional Consumer Price Index.]

- 171
172 14. Shall the Town Charter be amended at Part 8, Inspectors, Article XXXII Function of
173 Building Inspector/Zoning Official, § C-115, Powers and Duties, Sub-Paragraph F to
174 delete a comma “,” between the words ‘Housing’ and ‘Maintenance’ resolve a scrivener’s
175 drafting error? The comma “,” would be deleted as follows: Serve as Minimum Housing
176 Inspector and be vested with all the powers and authority prescribed by the Rhode Island
177 Housing, Maintenance and Occupancy Code.

178
179 Explanation

180 [If approved, this amendment will resolve the scrivener’s drafting error.]

- 181
182 15. Shall the Town Charter be amended at Part 14, Commissions and Boards, Article LIII,
183 Planning Commission, § C-172 Establishment and organization; compensation, as
184 follows:

185 § C-172 Establishment and organization; ~~compensation~~ composition.
186

187 A. There shall be a Planning Commission composed of five (5) members. They shall be
188 elected at large on a nonpartisan basis for terms of ~~six (6) years~~ four (4) years, except that
189 the initial elections after the effective date of this provision shall be for a terms of two (2)
190 ~~members~~ the (1) candidate with the second highest number of votes for two (2) years, ~~two~~
191 ~~(2) members~~ and the (1) candidate with the highest number of votes for four (4) years.
192 Thereafter, the terms of candidates shall be for four (4) years, with staggered terms of
193 three (3) members in one election cycle and two (2) members in the subsequent election
194 cycle and one (1) member for six (6) years, respectively. In addition, there shall be two
195 (2) alternate members elected for terms of two (2) years; and any vacancy on the
196 Commission shall be filled by one (1) of the alternates until the next general election.
197 When an alternate resigns or is appointed to fill a vacancy on the Commission, the
198 Council may appoint a replacement alternate to serve until the next general election. All
199 members shall serve until their respective successors have been elected. The Town
200 Administrator and the Director of Public Works shall serve as ex officio members, and a
201 member of the Council may also serve as an ex officio member of this Commission.
202

203 B. The Commission shall organize annually by electing a Chairman, Vice Chairman, and
204 appointing a Secretary. Members of the Commission shall serve without compensation
205 but may be reimbursed out of appropriations for any expenses incurred in the
206 performance of their duties.
207

208 Explanation

209 [If approved, this amendment would delete 'compensation' and insert in its place
210 'composition' in the title, and amend the term as indicated.]
211
212

- 213 16. Shall the Town Charter be amended at Part 14, Commissions and Boards, Article LIII,
214 Planning Commission, § C-174, Powers and duties, at E. to remove the requirement to
215 provide a report with the Rhode Island Development Council as that entity is no longer in
216 existence?
217

218 Explanation

219 [If approved, this amendment would remove the requirement to submit a report to a non-
220 existent state entity.]
221