

**MEETING of the Ordinance Subcommittee of the Town Council held Wednesday, February 15, 2006 at 4:13 P.M. in the Town Building, Harrisville.**

**MEMBERS PRESENT: Councilor William A. Andrews, Chair; Councilors Margaret L. Dudley and Ronald E. Faford.**

**MEMBERS ABSENT: None**

**Business to be considered and acted upon:**

**1. VOTED to approve minutes of the regular meeting of the Ordinance Subcommittee held on September 21, 2005 and dispense with the reading of said minutes.**

**Motion by Councilor Margaret L. Dudley. Seconded by Councilor William A. Andrews. The vote was unanimous. Voting in favor were Councilors William A. Andrews, Margaret L. Dudley and Ronald E. Faford.**

**2. Consider and act on recommendations for amendments to Chapter 24, Article II entitled Excavations:**

**a. Relative to requirements for insurance;**

**Michael C. Wood, Town Manager, noted that §24-58. Insurance,**

requires insurance in the amount of \$100,000 and \$300,000. It was unclear whether insurance would be required for driveway opening permits, but Mr. Wood suggested similar requirements should be in place whenever a town road is open. It was noted that The Trust recommends higher amount of insurance (see the email from The Trust filed with the record of the meeting).

There was discussion of the impact on the utility companies and on private residents who might not employ a contractor to perform work.

There was a consensus of the committee that the insurance limits should be raised, possibly to \$500,000 and \$1,000,000.

**VOTED** to authorize Michael C. Wood to work with Walter J. Kane and Richard A. Bernardo to revise the language and come back to the full Council with a recommendation.

Motion by Councilor Margaret L. Dudley. Seconded by Councilor Ronald E. Faford. The vote was unanimous. Voting in favor were Councilors William A. Andrews, Margaret L. Dudley and Ronald E. Faford.

b. Relative to Councilor Dudley's request for review of §24.31-24.40.

c. Relative to the request of Richard A. Bernardo, P.E., Director of Public Works, for adoption of a Street Alteration Permit Policy.

**3. Consider and act on the request of a resident to review and consider amendments to Chapter 24, Streets, Sidewalks and Other Public Places, Article I “In General” relative to clearing sidewalks.**

**VOTED to table.**

**Motion by Councilor Ronald E. Faford. Seconded by Councilor Margaret L. Dudley. The vote was unanimous. Voting in favor were Councilors William A. Andrews, Margaret L. Dudley and Ronald E. Faford.**

**4. Consider and act on amendments to Chapter 26, Article II Parking, Stopping and Standing.**

**Discussion: The parking evaluation was discussed. There was discussion of limiting parking to one side of the street, the difficulties for residents in some areas if parking were limited and the need to review individual streets to determine where parking should be limited. It was suggested that the Fire Chiefs be contacted for their recommendations and that the streets that currently have limited parking should have appropriate signage. Councilor Andrews recommended that members of the committee review the various streets and prepare a list of recommendations for the next meeting.**

**VOTED to table to the next meeting; and to invite the various Fire Chiefs to attend or provide written recommendations for the next meeting.**

**Motion by Councilor William A. Andrews. Seconded by Councilor Ronald E. Faford. The vote was unanimous. Voting in favor were Councilors William A. Andrews, Margaret L. Dudley and Ronald E. Faford.**

**5. Consider and act on amendments to Chapter 8, §8-55. Class B and C license rules, subsection (b) relative to service of alcohol on decks or patios.**

**Michael C. Wood, Town Manager, outlined a scenario where a business owner might want to apply to the Zoning Board for a variance to build a deck or patio and might intend to apply to the Town Council for permission to service alcoholic beverages on that deck. There was discussion of the appropriate progression of these applications, the cost involved to the building owner, and the provisions of the current ordinance.**

**The subcommittee discussed the application process, noting that the current ordinance allows for application at the time of initial application for a liquor license or at the annual renewal. Michael C. Wood, Town Manager, recommended that the ordinance provide for the Town Council to establish rules and regulations for the**

**application process.**

**VOTED to ask the solicitor to write an ordinance that allows people to apply for alcohol service on decks at any time of year; and to allow the Town Council to set the procedures for applications for service of alcoholic beverages on decks.**

**Motion by Councilor William A. Andrews. Seconded by Councilor Ronald E. Faford. The vote was unanimous. Voting in favor were Councilors William A. Andrews, Margaret L. Dudley and Ronald E. Faford.**

**6. Consideration, discussions and action on possible amendments to Chapter 2, §2-113 Special Revenue Reserve Fund.**

**Michael C. Wood, Town Manager, noted that the current ordinance does not allow Ocean State Power money to be used for debt service.**

- Mr. Wood noted that the solicitor had recommended limiting the use of the funds to a set dollar value, e.g. \$1,000,000.**
- There was discussion that, in lieu of (or in addition to) the dollar value, the Council might consider a percentage of the reserve fund.**
- Mr. Wood recommended that the Council could adopt a schedule for the percentage to be used.**
- He suggested that, if the Council considered an amendment, the use should be limited to prospective debt.**
- Mr. Wood recommended that the Council consider whether the**

**amendments would apply to short-term or long-term debt (or both).**

**VOTED to have the solicitor draft an ordinance that provides for use of the Special Revenue Reserve Fund for an amount not to exceed \$1,000,000 for debt incurred after the effective date of the change in the ordinance for temporary, short-term financing (bond anticipation notes) and permanent financing, to bring to the Town Council at the first meeting in March.**

**Motion by Councilor William A. Andrews. Seconded by Councilor Margaret L. Dudley. The vote was unanimous. Voting in favor were Councilors William A. Andrews, Margaret L. Dudley and Ronald E. Faford. Councilor was excused.**

**7. Review and discuss the items proposed for future meetings: None**

**8. Other business.**

**VOTED to move the regular meetings of the Ordinance Subcommittee to the third Tuesday of the month at 4:00 P.M.**

**Motion by Councilor William A. Andrews. Seconded by Councilor Ronald E. Faford. The vote was unanimous. Voting in favor were Councilors William A. Andrews, Margaret L. Dudley and Ronald E. Faford. Councilor was excused.**

**9. VOTED to adjourn at 5:12 P.M.**

**Motion by Councilor William A. Andrews. Seconded by Councilor Ronald E. Faford. The vote was unanimous. Voting in favor were Councilors William A. Andrews, Margaret L. Dudley and Ronald E. Faford. Councilor was excused.**

**The meeting was taped. The tape is on file with the record of the meeting.**

**Louise R. Phaneuf, Town Clerk**