

Agenda

October 9, 2012

Warren Town Council Meeting

Town Hall

514 Main Street

7:00 PM

Consent Agenda- all items listed with an asterisk (*) are considered to be routine by the Town Council and will be enacted by one motion. There will be no separate discussion of these items unless a council member or citizen request in which event the item will be withdrawn from the General Order of Business and considered in the normal sequence on the agenda.

PLEDGE OF ALLEGIANCE:

RECOGNITION:

Dennis C. Beaulieu 40 years of service as a Warren Firefighter – Engine 3

APPOINTMENT:

1. Holiday Festival – Chairperson Marilyn Mathison

INTERVIEWS:

Economic Development Board (1-position)

1. Michael Emmenecker, 8 Jacobs Point Road

2. Benjamin Terry, 5 Grandview Avenue

Voluntary Historic Committee- Board of Appeals (2-positions)

1.

Juvenile Hearing Board (2- alternate positions)

1. Patrick Rimoshytus, 19 Ridgeway Drive

Zoning Board Member (1-position)

1. Andrew G. Ellis, 31 Liberty Street

2. Michael Emmenecker, 8 Jacobs Point Road

3. Mark Smiley, 14 Evie Drive

4. Benjamin Terry, 5 Grandview Avenue

ACCEPTANCE OF MINUTES:

Acceptance of September 4, 2012 minutes

CONSENT AGENDA:

***P-1, (page 5)**

ORDINANCE:

O-1

Chapter 3 – ANIMALS AND FOWL Sec 3-2.5. (2nd reading)

(Red) = delete chicken hens / green = add fowl

Maximum (chicken hens) fowl permitted

(Author's Note: See definitions at the end)

A. The owner of any house lot in any residential zone except the residential 40 (R-40) zone containing at least one dwelling may keep or permitted to keep on the house lot no more than six (chicken hens) fowl.

B. The keeping of more than six (chicken hens) fowl on any house lot requires an additional eight hundred (800) square feet of yard space dedicated to each additional (chicken hen) fowl.

C. No person shall keep any rooster.

D. All (chicken hens) fowl must be provided both a hen house (coop) and a fenced outdoor enclosure subject to the following provisions:

a. The hen house must be covered, predator-resistant and well ventilated. It shall be no more than eight feet in height and a maximum of 64 square feet in area,

b. The fence made of (chicken) wire or a stronger substance shall be no more than six feet in height,

c. The hen house must provide a minimum of two square feet per (chicken hen) fowl,

d. The hen house must be kept clean dry and sanitary at all times; manure must be composed in compost bins,

e. The hen house must be located upon a permeable surface that prevents waste run-off,

f. The fenced enclosure must adequately contain the (chicken hens) fowl at all times,

g. The fenced enclosure must be kept clean and sanitary at all times,

h. The hen house must provide the (chicken hens) fowl with adequate protection from the elements and inclement weather and provide for

the (chicken hens) fowl good health and prevent any unnecessary or unjustified suffering,

i. The hen house shall not be built onto any shared fence,

j. The hen house must be located at least twenty (20) feet from any dwelling,

k. The setbacks for the hen house and the enclosed area shall be those for the principal dwelling located on the house lot,

E. No person shall place food in the open for the feeding of any (chicken hens) fowl, except in such containers as will prevent the scattering of such food upon the ground. After such feeding, such food shall not be allowed to remain where it is accessible to rats.

F. No (chicken hens) fowl may be kept or raised within the dwelling.

G. The owner of the (chicken hens) fowl must be a resident of the dwelling located on the house lot.

H. The raising of (chicken hens) fowl shall be restricted to back yards or side yards; (chicken hens) fowl shall not be permitted, at any time, on the part of the property directly abutting a main road.

I. The keeping of (chicken hens) fowl pursuant to this section shall be primarily for the purpose of raising (chicken hens) fowl and collecting the eggs produced thereof; this section shall not be construed to allow for the commercial slaughter and sale of any (chicken) fowl for any purpose.

J. Slaughtering of (chickens) fowl is not allowed.

K. This section shall be subject to the nuisance provisions of section 3-4.

L. All (chicken hens) fowl must be confined between the hours of 9:00

PM and 8:00 AM.

M. The Town Manager, on the advice of the Animal Control Officer, shall promulgate a registration process as a condition precedent to the construction of hen houses and the keeping of (chicken hens) fowl. Such registration shall include:

- a. Inspection and approval of the construction plans by the Building Official,**
- b. Payment of a fee set by the Town Council each year.**

Author's Notes:

1) While the term "fowl" in the classical sense means wild birds hunted for their flesh and "poultry" means domesticated birds raised for their eggs and flesh, the term fowl as used here to simplify the text. Also noted is the term fowl includes Galliformes (chickens, ducks, turkeys, grouse, partridge, pheasant, and quail) and Columbiformes (pigeons and doves).

2) Some residents are concerned that fowl currently existing in Warren may be "grandfathered" and suggest the following addition:

Pre-existing fowl

Fowl currently existing in the city shall not be "grandfathered" or permitted to remain after the effective date of this Ordinance; however, owners of the fowl will have 15 days from the effective date to come into compliance with this ordinance.

Or:

That all Ordinances or parts of Ordinances, in conflict herewith are

hereby expressly repealed. Any person maintaining a pre-existing fowl coop, enclosure, or other structure or facility must be in compliance with the restrictions, construction requirements, maximum domestic fowl numbers, minimum distance requirements, and all other provisions in this ordinance.

O-2

Chapter 11, Article 3, Sec 11-101 Limitations on number of licenses to be issued

(2nd reading) (1st reading heard on September 25, 2012 Special Town Council Meeting)

(1) The Maximum number of licenses to be issued by the town to saloons, shops or places of business within this town for the keeping of a billiard table, pool table, scippio table, or any table of a similar character is fixed at ten (10).

(1) The Maximum number of licenses to be issued by the town to saloons, shops or places of business within this town for the keeping of a billiard table, pool table, scippio table, or any table of a similar character is fixed at twelve (12).

(2) The maximum number of licenses for operation of a pinball or game room to be issued by the town is fixed at one (1).

(2) The maximum number of licenses for operation of a pinball or

game room to be issued by the town is fixed at two (2).

O-3

Chapter 11, Licenses and Business Regulations

Article III. Billiard, Bagatelle, Pool, Scippio Tables and Game Rooms

(2nd reading)

Sec 11-101 Limitations on number of licenses to be issued

Pursuant to the provisions of section 5-2-10 of the General Laws, the town council hereby limits the number of the licenses to be issued as follows:

(1) The maximum number of licenses to be issued to the town saloons, shops or places of business within this town for the keeping of a billiard table, bagatelle table, pool table, scippio table, or any table similar character is fixed at ten(10).

(1) The maximum number of licenses to be issued to the town saloons, shops or places of business within this town for the keeping of a billiard table, bagatelle table, pool table, scippio table, or any table similar character is fixed at Twenty Five (25).

O-4

Chapter 11- Licenses and Business Regulations

Article II. Alcoholic Beverages, Taverns and Victualling Houses (2nd reading)

Sec. 11.28. Limitation on number of class B liquor licenses

Pursuant to the provisions of section 3-5-16 of the General Laws, the town hereby limits the maximum number of class B liquor licenses as follows:

The maximum number of class BV beverage licenses to be issued by the town is fixed at twenty-one (21).

The maximum number of class BV beverage licenses to be issued by the town is fixed at twenty-two (22).

PUBLIC HEARING:

PH-1

Public Hearing for BV Liquor License

From: The Cary Corporation

d/b/a The Square Peg

51 Miller Street

Warren, RI 02885

PH-2

Public Hearing for a Town of Warren Official Zoning Map Amendment for Plat 19, Lot 147 (Paul Court) to amend the boundary of the R40 to include this lot.

PH-3

Public Hearing for Metacom Plan.

PETITIONS:

***P-1**

Request for a Class F Beverage License

From: Fire Mechanics Engine #2

104 Water Street

Warren, RI 02885

Date: November 15, 2012

Place: 104 Water Street

Event: Turkey Roll

P-2

Request for a Game Room License

From: FB Warren LLC

d/b/a Fat Belly's Irish Pub

632 Metacom Avenue

Warren, RI 02885

P-3

Request for a Class F Beverage License

From: KMS Lacrosse Inc.

Date: October 12, 2012

Place: Warren Yacht Club

Event: KMS Lacrosse Kickoff

P-4

Request for a Class F Beverage License

From: Hope & Main

689 Main Street

Warren, RI 02885

Date: October 11, 2012

Time: 7:00pm-9:00pm

Place: 689 Main Street

Event: Public Open House

P-5

Request for extended hours on Black Friday

From: Ocean State Job Lot of Warren, Inc.

601 Metacom Ave

Warren RI 02885

Date: November 23, 2012

Hours: Friday 12:00 am – 11:00 pm

CORRESPONDENCE:

****C-1**

BCWA- Update

OLD BUSINESS:

OB-1

Discussion & action regarding marking the existing sections of the River Walk.

OB-2

Discussion and action regarding Policy and Procedures for agenda items.

NEW BUSINESS:

NB-1

Letter of resignation from Probate Judge Morphis Jamiel and authorize advertisement of vacancy.

NB-2

Request donation from Mount Hope High School Wrestling Team

NB-3

Request from Kate Dickson/ Discover Warren Board regarding use of Town color copy printer to offset cost of their project for the Walkabout.

NB-4

Request approval from the Town Council regarding sign and bench at the BCWA.

POLICE CHIEF:

1. Discussion and action regarding bid for three (3) Ford Police Sedans as specified.

FINANACE DIRECTOR:

1. Request to overspend in account 2-01-510-00-2190 (Shared Services – Town Employer Pension Costs) Over-budget amount not to exceed \$3,150.70.

TAX ASSESSOR:

1. Abatements & Additions

Abatements 2010 \$ 95.38

Abatements 2011 \$ 316.15

Abatements 2012 \$1,272.63

Additions 2007 – 2012 \$943.63

FIRE CHIEF:

1. Discussion and action regarding no bids for Thirty (30) VHF Radio

Pages done on

September 21, 2012.

2. Discussion and action regarding solicited sealed bids received thereafter for Thirty (30)

VHF Radio Pages done on September 27, 2012.

Request motion to convene to Executive Session:

Discussion and action on items discussed in Executive Session:

Adjournment:

Individuals requesting interpreter services. For the hearing impaired must notify the Town Clerk's Office at least forty-eight (48) Hours prior to the meeting. 401-245-7340(voice) or "via RI Relay 1-800-745-5555" (TTY).