

(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, January 13, 2022 via Zoom webinar.

CALL MEETING TO ORDER:

The meeting was called to order at 6:45 p.m. by the Chair.

Present: Council Vice-President Robert J. Ferri
Councilwoman Lammi J. Vargas
Councilwoman Aniece Germain
Councilman Richard D. Campopiano
Councilwoman Nicole Renzulli, Vice-Chair
Councilman Matthew R. Reilly, Chair
Council President Christopher G. Paplauskas

Also Present: Councilman John P. Donegan
Councilwoman Jessica M. Marino
Anthony Moretti, Chief of Staff
John Verdecchia, Assistant City Solicitor
Stephen Angell, City Council Legal Counsel
Rosalba Zanni, Acting City Clerk
Heather Finger, Stenographer

MINUTES OF THE LAST MEETING:

On motion by Council Vice-President Ferri, seconded by Council President Paplauskas, it was voted to continue with the reading of the minutes last meeting. Motion passed unanimously.

I. COMMITTEE BUSINESS MATTERS CARRIED OVER

9-21-04 *Ordinance in amendment of Title 6.08 of the Code of the City of Cranston, 2005, entitled "Animals" (Roosters Prohibited). (Cont. from 11/9/2021 and 12/9/2021).*

On motion by Council President Paplauskas, seconded by Council Vice-President Ferri, it was voted to recommend approval of this Ordinance.

Under Discussion:

Chair stated that the Clerk forwarded an amendment to this Ordinance to the Council Members today. He asked Attorney Angell if notice needs to be provided to the public of the second amendment that was just put in. Attorney Angell stated that this Ordinance was sent to the Ordinance Committee back in October and, at that time, the Ordinance that was sent over strictly said that the keeping of any roosters is strictly prohibited and the provisions of the section would be strictly enforced. A floor amendment was introduced at that time by Councilwoman Marino and it was a substantive amendment

and it was sent back to Committee. It was then held in Committee for a month or so and there is a consensus on a written amendment. As far as notice is concerned, the public does have notice of the Ordinance. It does not have notice of what the Ordinance seems to prohibit, which is strictly prohibiting of roosters. The amendment seems to allow roosters under certain circumstances. He would leave it to the Committee to decide whether it needs to be re-advertised, but he feels there is not a substantial change to the Ordinance.

Solicitor Verdecchia stated that he received a call from Solicitor Millea regarding this issue and the concern is in the general sense, yes, the public is on notice of the intent to enact a rooster Ordinance and the record does seem to offer the idea that some of these issues were touched upon, but the concern is not all of them were. With amendments, sometimes they get thorny when the amendments essentially swallow the original so as to constitute a whole new Ordinance. The concern is that some could arguably conceivably say that we advertised Ordinance “A”, but in fact discussed and passed Ordinance “B” and had they been made aware that significant changes were going to be made, they would have been present. It is up to the Committee on how you want to approach this. His suggestion would be to pass the original as it was proposed out of Committee, then Councilwomen Marino and Renzulli attach their written amendment to the Ordinance and it could be advertised so people know for the Council meeting and can compare the two and are totally on notice and the amendment can be made at the Council meeting. Or you can continue it to the next Ordinance Committee meeting.

Attorney Angell stated that you can treat this like a workshop to discuss the amendment, but would not take a vote on this Ordinance until the Council meeting. He suggested passing this out of Committee to the City Council as it is on the agenda. A substitute Ordinance can be introduced as an amendment to the original and schedule a public hearing on the original and the comparison point of the amendment.

Councilwoman Marino stated that she and Councilwoman Renzulli have been working on the rooster Ordinance amendment and the amendment that they are seeking is as follows:

- Line #28, after “strictly prohibited except”, add the following language:
 - When such activity:
 - 1) is protected by RIGL 2-23-1 et Seq.; or
 - 2) is outside of protections afforded under the RIGL Right to Farm Act and located on lots Zoned A80 being a minimum of two acres, while limited to one single rooster on the condition that said rooster be contained from sunset to sunrise in an enclosed sunlight blocking coop with soundproof insulation that is at least fifty feet from the nearest property line and at least one hundred feet from the nearest neighboring residential house.
 - 3) sunlight blocking coop is a coop that has all window or transparent surfaces covered with a light blocking material, curtain or similar light blocking fabric also known as block out curtains.”

Councilwoman Renzulli suggested adding violations in the Ordinance, such as \$100 for first offense, \$150 for second offense and \$200 for third offense.

Attorney Angell stated that based on what he is hearing, he thinks this should be entirely re-written, re-introduced, re-advertised and re-heard. There are just too many amendments and nothing has been committed to paper as an official amendment.

Solicitor Verdecchia stated that he thinks there are just so many changes that this Ordinance has taken on a new form and he agrees with Attorney Angell.

On motion by Councilwoman Germain, seconded by Council President Paplauskas, it was voted to reconsider the referral out to full city Council for a vote. Motion passed on a vote of 5-2. The following being recorded as voting “aye”: Councilwomen Vargas, Germain, Renzulli, Councilman Reilly and Council President Paplauskas -5. The following being recorded as voting “nay”: Council Vice-President Ferri and Councilman Campopiano -2.

On motion by Council President Paplauskas seconded by Councilwoman Germain, it was voted to postpone consideration on the Ordinance before the Committee indefinitely. Motion passed on a vote of 5-2. The following being recorded as voting “aye”: Councilwomen Vargas, Germain, Renzulli, Councilman Reilly and Council President Paplauskas -5. The following being recorded as voting “nay”: Council Vice-President Ferri and Councilman Campopiano -2.

11-21-01 *Ordinance in amendment of Title 6 of the Code of the City of Cranston, 2005, entitled “Animals Generally”. Sponsored by Councilwoman Marino. (Cont. from December 9, 2021.*

On motion by Councilwoman Vargas, seconded by Councilwoman Germain, it was voted to recommend approval of this Ordinance.

Under Discussion:

Councilwoman Marino stated that she spoke to Director McAuley and was advised that the Administration has found that domestic chicken keeping has not been something that they have received many complaints on. She does not have a problem withdrawing the domestic chicken Ordinance. She would like to hear from the Administration of what the situation is. Director Moretti stated that he would have to defer to Director McAuley since he and Director Smith are the recipients of those complains so they would have firsthand knowledge.

Councilwoman Marino stated that since Director McAuley is not present, she asked that this Ordinance be continued to next month’s meeting in order to get an answer from Director McAuley regarding this.

Motion and second to recommend approval were withdrawn.

On motion by Councilwoman Germain, seconded by Councilwoman Vargas, it was voted to continue this Ordinance to next month’s meeting. Motion passed unanimously.

II. PUBLIC HEARINGS* and/ or NEW MATTERS BEFORE THE COMMITTEE

A. PUBLIC HEARINGS

None.

B. NEW MATTERS BEFORE THE COMMITTEE

12-21-01 ***Ordinance in amendment of Chapter 10.12.270 of the Code of the City of Cranston, 2005, entitled “Motor Vehicles and Traffic – One-Way Traffic on Certain Streets Between Certain Hours” (Eden Park Dr. northerly from Aqueduct Rd.). Sponsored by Councilwoman Germain.***

On motion by Councilwoman Vargas, seconded by Councilwoman Renzulli, it was voted to recommend approval of this Ordinance.

Under Discussion:

Danielle Mason, 8 Eden Crest Dr., appeared to speak in favor of this Ordinance and provided a handout for the record.

Council President Paplauskas asked if a traffic report has been provided for this Ordinance and for Ordinance 12-21-02. Clerk stated that no traffic report has been provided as of today. Council President Paplauskas indicated that, per the Charter, the Traffic Engineer has a certain amount of time to provide a traffic report.

No one appeared to oppose.

Roll call was taken on motion to recommend approval of this Ordinance and motion passed unanimously.

12-21-02 ***Ordinance in amendment of Title 10 of the Code of the City of Cranston, 2005, entitled “Motor Vehicles and Traffic” (Tabor St.). Sponsored by Council President Paplauskas.***

On motion by Council Vice-President Ferri, seconded by Councilwoman Vargas, it was voted to recommend approval of this Ordinance.

Under Discussion:

Joel Licker appeared to speak for the Tabor St. Condos in favor of this Ordinance. No one appeared to oppose.

Roll call was taken on motion to recommend approval of this Ordinance and motion passed unanimously.

- **Adjournment**

The meeting adjourned at 7:40 p.m.

Respectfully submitted,

/s/ Rosalba Zanni
Acting City Clerk