

(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, September 15, 2022 in the Council Chambers, City Hall, Cranston, Rhode Island.

CALL MEETING TO ORDER:

The meeting was called to order at 7:10 p.m. by the Chair.

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

Absent: Council Vice-President Robert J. Ferri

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

MINUTES OF THE LAST MEETING:

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

I. COMMITTEE BUSINESS MATTERS CARRIED OVER

2-22-02 Ordinance in amendment of Title 15 of the Code of the City of Cranston, 2005, entitled "Buildings and Construction". Sponsored by Councilman Donegan and Councilwoman Marino. Co-sponsored by Councilwomen Germain and Vargas.

Councilwoman Germain motioned to recommend approval of the above Ordinance. Council President Paplauskas seconded the motion for discussion;

Under Discussion:

Councilman Campopiano recused.

Councilman Donegan stated that based on Mr. DiMaio's assumption, the fiscal impact would be approximately \$181,000 a year. Ensuring safe housing is worth \$181,000 a year for a City our size. He really thinks that this Ordinance would incredibly improve our City, the health of our residents, the safety of our residents and he really thinks this is something that we need to pursue further. There were considerable feedbacks that he received from housing experts, from members of the Committee, from members of the Administration, members of the public, Budget Auditor, so he is going to withdraw this Ordinance and take all those consideration into account and then resubmit as a reworked Ordinance.

No one appeared to oppose.

On motion by Councilman Reilly, seconded by Councilwoman Renzulli, it was voted to add the fiscal impact study as part of the record. Motion passed unanimously.

Ordinance was withdrawn by Councilman Donegan.

4-22-10 *Ordinance in amendment of Chapter 10.32.030 of the Code of the City of Cranston, 2005, entitled "Motor Vehicles and Traffic – Multi-Way Stop Intersections-Enumerated" (Frankfort St. and Pleasant St.). Sponsored by Councilwoman Germain.*

No one appeared to speak in favor or to oppose.

On motion by Council President Paplauskas, seconded by Councilwoman Vargas, it was voted to recommend approval of the above Ordinance. Motion failed on a vote of 2-4. The following being recorded as voting "aye": Councilwomen Vargas and Germain -2. The following being recorded as voting "nay": Councilman Reilly, Councilwoman Renzulli, Councilman Campopiano and Council President Paplauskas -4.

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

A. PUBLIC HEARINGS

Pauline DeRosa, 97 Cypress Dr., appeared to speak regarding proposed Ordinance 8-22-01 and stated that she is in agreement in not allowing the use of cannabis in any outdoor dining location. Smoking of marijuana in close proximity to any recreational facility or school should be disallowed as well, however, a person should not be punished for smoking marijuana cigarette while walking on any public street or in so-called alleyways or in a public parking lot. She feels that the City of Cranston is going to great lengths in attempting to take away the legal right of a person to smoke marijuana and you are not acknowledging that portion of the population who depend on cannabis for medicinal purposes. She questioned how this Ordinance will be enforced and if collected fines will be allocated to fund drug rehab programs. We need to end stigma of cannabis use and further engage in education and outreach efforts.

B. NEW MATTERS BEFORE THE COMMITTEE

7-22-03 *Ordinance in amendment of Title 10, Chapter 12, Section 210 of the Code of the City of Cranston, 2005, entitled “Motor Vehicles and Traffic – Through Trucking-Prohibited on Certain Streets” (Crescent Ave. and Harmon Ave.). Sponsored by Councilman Donegan.*

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

Under Discussion:

Council President Paplauskas asked if there is a traffic study available. Clerk stated that she did not receive any.

No one appeared to speak in favor or to oppose.

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

7-22-04 *Ordinance in amendment of Title 10, Chapter 32, Section 020 of the Code of the City of Cranston, 2005, entitled “Motor Vehicles and Traffic – Stop Intersections-Enumerated” (Knollwood and Riverfarm). Sponsored by Councilman Donegan.*

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

Under Discussion:

Councilman Donegan stated that this is at the request of a resident.

No one appeared to speak in favor or to oppose.

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

8-22-01 *Ordinance creating Chapter 46 of Title 8 of the Code of the City of Cranston, 2005, entitled “Consumption of Marijuana in Public Places, etc”. Sponsored by Councilman Reilly and Councilwoman Renzulli.*

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

Under Discussion:

Councilman Reilly stated that the State of Rhode island has legalized recreational marijuana and now has kicked it to the cities and towns to define their regulations and policy on how they are going to allow that in their communities. This is going to be a multi-faceted issue that we have to regulate the use, we have to determine planning and zoning where these shops if they come here will go, and the financial aspects. He spoke to the Administration and Victoria Scott from the Governor’s Office and while they passed the law, they have not yet finalized the actual regulations through DBR yet.

What this Ordinance has been tailored after is the alcohol consumption policy in the City. Despite what was said in public comment, we are not looking to criminalize anything, but as a municipality, we have to have some sort of regulation. This is the first time in handling the marijuana issue and defining where it can be consumed.

Councilman Campopiano and **Council President Paplauskas** asked to be added as co-sponsors.

Director Moretti stated that the mayor is in total support of this primarily because he deferred to Colonel Winquist in his opinion. The Colonel would have wanted to be here this evening because he is very passionate about the passage of this. There has been a lot of Police activity in the past 24 hours and he could not be here this evening and on his behalf, he urged passage of this.

Councilwoman Vargas asked if the Police Department would be enforcing this. Chair stated, yes, it would be the Police Department and then enforced by the Municipal Court. Councilwoman Vargas questioned if that should be in the Ordinance or not. Solicitor stated that we have had that in some of the other Ordinances as to whose responsibility it is to enforce. It is really up to the Committee. If you want to add more clarification and say that the Police Department is responsible for enforcing this Ordinance, you certainly can do that. He thinks that by default, the Police Department is going to enforce this, but it is in the discretion of the Committee. It would not hurt to add it to the Ordinance. Councilwoman Vargas stated that she thinks it is a good idea for clarification purposes.

Chair stated that he would be open to either continuing this Ordinance and work on it or pass it through the full City Council and everyone can work on it at the Council.

Councilwoman Marino stated that she thinks that there is a lot of merit to the idea of having further discussion in the Council as a whole. She is in support of prohibiting the use of marijuana in certain public spaces.

Councilman Donegan echoed all the comments made and stated that he thinks that this is something that we can all work on.

Council President Paplauskas stated that he is in favor of this this evening and he would love to pass this this evening. He knows the use of marijuana has been legalized, but he thinks that if we do continue this, we should continue it for a month and give everyone time to review this again and see what other cities and towns are doing and in other States as well and come back at the Committee level.

Motion and second to recommend approval were withdrawn.

On motion by Councilwoman Germain, seconded by Councilwoman Vargas, it was voted to continue this Ordinance for one month.

Under Discussion:

Director Moretti stated that the Administration has no problem. It is the Committee's authority to do what it wishes and can certainly understand the complexity of this. If you go back to Committee, realize that the State did not go overnight and quickly adopt this. There was a lot of controversy over

the years in getting it passed. There is not going to be a perfect law. No matter what this Committee comes up with, it is not going to be perfect. He asked that the city Council please consider and the Chief asks that the Committee consider what is the difference between someone walking down the street with a vodka bottle and someone smoking marijuana and perhaps he thinks if maybe you feel as if marijuana should be able to be consumed in public just as well. It is not going to be perfect and enforcement is not going to be perfect.

No one appeared to oppose.

Roll call was taken on motion to continue this Ordinance and motion passed unanimously.

8-22-02 ***Ordinance in amendment of Title 10, Chapter 32, Section 590 of the Code of the City of Cranston, 2005, entitled "Motor Vehicles and Traffic" (Tabor St. 2 Hr. Parking). Sponsored by Council President Paplauskas.***

On motion by Council President Paplauskas, seconded by Councilwoman Vargas, it was voted to continue this Ordinance. Motion passed unanimously.

8-22-03 ***Ordinance in amendment of Title 10, Chapter 32, Section 090 of the Code of the city of Cranston, 2005, entitled "Motor Vehicles and Traffic" (Tabor St. No Parking). Sponsored by Council President Paplauskas.***

On motion by Council President Paplauskas, seconded by Councilwoman Vargas, it was voted to continue this Ordinance. Motion passed unanimously.

- **Adjournment**

The meeting adjourned at 8:10 p.m.

Respectfully submitted,

/s/ Rosalba Zanni
Acting City Clerk