

Chapter 17

REDEVELOPMENT AGENCY

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Sec. 17-1. Declaration of purpose.

The purpose of the North Smithfield Redevelopment Agency is to encourage, direct, and regulate new development and redevelopment within districts, and to acquire and redevelop those areas itself, which the agency determines cannot be redeveloped otherwise, in order to carry out the purposes of Title 45, Chapters 31-33, inclusive, of the Rhode Island General Laws.
(Ord. of 5-27-10)

Sec. 17-2. Statement of public interest.

It is determined and declared by the North Smithfield Town Council that in certain areas of town there may exist now or in the future blighted and substandard areas, which constitute community liabilities requiring redevelopment in the interest of the health, safety, morals, and general welfare of the community. It is further found that the findings as to dangers from substandard areas, and the finding of obstacles to private redevelopment, as included in the Rhode Island General Laws Title 45, Chapter 31, Sections 2, 3 and 4, contribute to the importance and purpose of this chapter. Therefore, the necessity for the provisions herein enacted is hereby declared as a matter of legislative determination to be in the public interest.
(Ord. of 5-27-10)

Sec. 17-3. Definitions.

The following definitions and general provisions pertain to this chapter and its associated documents:

Agency means a redevelopment agency created by Rhode Island General Laws, Title 45, Chapter 31.

Arrested blighted area means any area which, by reason of the existence of physical conditions including, but not by way of limitation, the existence of unsuitable soil conditions, the existence of dumping or other unsanitary or unsafe conditions, the existence of ledge or rock, the necessity of unduly expensive excavation, fill or grading, or the necessity of undertaking unduly expensive measures for the drainage of the area or for the prevention of flooding thereof or for making the same appropriate for sound development, or by reason of obsolete, inappropriate, or otherwise faulty platting or subdivision, deterioration of site improvements, inadequacy of utility, diversity of ownership of plots, or tax delinquencies, or by reason of any combination of any of the foregoing conditions, is unduly costly to develop soundly through the ordinary operations of private enterprise and impairs the sound growth of the community.

Blighted and substandard area includes a "slum blighted area", a "deteriorated blighted area", or an "arrested blighted area", or any combination of these areas.

Bonds of agency means any bonds, notes, interim certificates, debentures, or other obligations issued by any agency pursuant to Rhode Island General Laws Sections 45-33-5--45-33-15, inclusive.

Community means the Town of North Smithfield.

Deteriorated blighted area means any area in which there exist buildings or improvements, either used or intended to be used for living, commercial, industrial, or other purposes, or any combination of these uses, which by reason of:

- (1) Dilapidation, deterioration, age, or obsolescence,
- (2) Inadequate provision for ventilation, light, sanitation, open spaces, and recreation facilities,
- (3) High density of population and overcrowding,
- (4) Defective design or unsanitary or unsafe character or conditions of physical construction,
- (5) Defective or inadequate street and lot layout, and
- (6) Mixed character, shifting, or deterioration of uses to which they are put, or any combination of these factors and characteristics, are conducive to the further deterioration and decline of the area to the point where it may become a slum blighted area as defined in [the definition slum blighted area] of this section, and are detrimental to the public health, safety, morals, and welfare of the inhabitants of the community and of the state generally. A deteriorated blighted area need not be restricted to, or consist entirely of, lands, buildings, or improvements which of themselves are detrimental or inimical to the public health, safety, morals, or welfare, but may consist of an area in which these conditions exist and injuriously affect the entire area.

Federal government means the United States of America or any agency or instrumentality, corporate or otherwise, of the United States of America.

Obligee of the agency or *oblige* shall include any bondholder, trustee or trustees for any bondholder, or lessor demising to the agency property used in connection with a redevelopment project or any assignee or assignees of that lessor, and the federal government.

Planning board means an agency established under any state law or created by or pursuant to the charter of the community.

Project area means all or any portion of a redevelopment area. A project area may include lands, buildings, or improvements which of themselves are not detrimental or inimical to the public health, safety, morals, or welfare, but whose inclusion is necessary, with or without change in their conditions or ownership, for the effective redevelopment of the area of which they are a part.

Public hearing means a hearing before the town council or before any committee of the town council to which the matter to be heard shall have been referred.

Real property means lands, including lands underwater and waterfront property, buildings, structures, fixtures, and improvements thereon, and every estate, interest, privilege, easement, franchise and right, legal or equitable, therein, including rights-of-way, terms for years and liens, charges or encumbrances by way of judgment, attachment, mortgage, or otherwise, and the indebtedness secured by such liens.

Redevelopment means the elimination and prevention of the spread of blighted and substandard areas. Redevelopment may include the planning, replanning, acquisition, rehabilitation, improvement, clearance, sale, lease, or other disposition, or any combination of these, of land, buildings, or other improvements for recreational commercial, industrial, institutional, public, or other purposes, including the provision of streets, utilities, recreational areas, and other open spaces consistent with the needs of sound community growth in accordance with the community's comprehensive plan and carrying out plans for a program of voluntary repair and rehabilitation of buildings or other improvements.

Redevelopment area and *redevelopment district* means any area of a community which the town council thereof finds is a blighted and substandard area whose redevelopment is necessary to effectuate the public purposes declared in Chapter 45-31 of the Rhode Island General Laws.

Redevelopment plan means a plan, as it exists from time to time, for a redevelopment project, which:

- (1) Shall conform to the comprehensive plan for the community as a whole; and
- (2) Shall be sufficiently complete to indicate such land acquisition, demolition and removal of structures, redevelopment, improvements, and rehabilitation as may be proposed to be carried out in the project area, zoning and planning changes, if any, land uses, maximum densities, building requirements, and the plan's relationship to definite local objectives, respecting appropriate land uses, improved traffic, public transportation, public utilities, recreational and community facilities, and other public improvements.

Redevelopment project means any work or undertaking of an agency pursuant to chapters 31-33, inclusive, of Title 45 of the Rhode Island General Laws.

Slum blighted area means any area in which there is a predominance of buildings or improvements, either used or intended to be used for living, commercial, industrial, or other purposes, or any combination of these uses, which by reason of:

- (1) Dilapidation, deterioration, age, or obsolescence,
- (2) Inadequate provision for ventilation, light sanitation, open spaces, and recreation facilities,
- (3) High density of population and overcrowding,
- (4) Defective design or unsanitary or unsafe character or condition of physical construction,
- (5) Defective or inadequate street and lot layout, and
- (6) Mixed character or shifting of uses to which they are put, or any combination of these factors and characteristics, are conducive to ill health, transmission of disease, infant mortality, juvenile delinquency, and crime, injuriously affect the entire area and constitute a menace to the public health, safety, morals, and welfare of the inhabitants of the community and of the state generally. A slum blighted area need not be restricted to, or consist entirely of, lands, buildings, or improvements which of themselves are detrimental or inimical to the public health, safety, morals, or welfare, but may consist of an area in which these conditions predominate and injuriously affect the entire area.

State government means the State of Rhode Island, or any agency or instrumentality, corporate or otherwise, thereof.

State public body means the state, or any city or town or any other subdivision or public body of the state or of any city or town.

Town council means the Town Council of the Town of North Smithfield.
(Ord. of 5-27-10)

Sec. 17-4. Created.

The town redevelopment agency, in this chapter called the agency, which was created by prior resolutions of the town council, shall have a membership, organization, and powers as provided in this chapter.
(Ord. of 5-27-10)

Sec. 17-5. Membership and appointment.

(a) The appointment of members and rules governing the tenure and officers of the redevelopment agency shall be those as stated in G.L. 1956, Sections 45-31-12--45-31-15.

(b) The president of the town council shall appoint two resident electors of the town as members of the agency, the vice president and each regular member of town council shall each appoint one resident elector of the town as members of the agency, and the town administrator shall appoint one resident elector of the town as a member of the agency. No member of the agency may be an elected officer or an employee of the town. The powers of the agency shall be vested in the members thereof.

(c) The regular members who are first appointed shall be designated by lottery to serve for terms of one (two members) two (two members) three, four, and five years respectively.

Thereafter all members shall be appointed as aforesaid for a term of office of five years, except that all vacancies occurring during a term shall be filled for the unexpired term. A member shall hold office until his successor has been appointed.

(d) The agency shall elect a chairperson and vice-chairperson from among its members. The agency shall elect or appoint a secretary who need not be a member of the agency.

(e) Meetings of the agency shall be held at the call of the chairperson and at such other times as the agency may determine.
(Ord. of 5-27-10)

Sec. 17-6. Interest of officers and employees in project area properties.

No officer or employee of the community or of the agency who in the course of his duties is required to participate in the formulation of plans or policies for the redevelopment of a project area, or to approve those plans or policies, shall acquire any interest in any property included within a project area within the community. If the officer or employee owns or has any financial interest, direct or indirect, in any property included within a project area, he shall immediately disclose, in writing, the interest to the town council and the disclosure shall be entered in the minutes of the agency and of the legislative body. Failure to disclose the interest constitutes misconduct in office. No payment shall be made to any member or officer of the agency for any property or interest in property acquired by the agency from the member or officer, unless the amount of the payment is fixed by court order in eminent domain proceedings or unless the payment is unanimously approved by the town council.
(Ord. of 5-27-10)

Sec. 17-7. Suspension and removal of agency members.

For inefficiency, neglect of duty or misconduct in office, a member of an agency may be suspended by the town council. A member of an agency may be removed by the town council only after he has been given a copy of the charges against him, which copy shall be served on him at least ten days prior to a public hearing, and after he has had an opportunity to be heard in person or by counsel, at the hearing to be held within 30 days after the date of the suspension.
(Ord. of 5-27-10)

Sec. 17-8. Resident attorneys.

The agency shall appoint a resident attorney, who may also be the town solicitor, as required by G.L.

1956, Section 45-31-18.
(Ord. of 5-27-10)

Sec. 17-9. Deactivation or substitution of agency.

At any time after two years of the effective date of the ordinance from which this chapter is derived, declaring that there is need for a redevelopment agency to function in the community, the town council, if the agency has not redeveloped or acquired land for, or commenced the redevelopment of a project or entered into any contracts for redevelopment, may, by repeal of such ordinance, declare that there is no further need for the agency in the community. Thereupon, the offices of the members of the agency shall be vacated and the capacity of the agency to transact business or exercise any power shall be suspended and remain suspended until the town council adopts an ordinance declaring the need for the agency to function.
(Ord. of 5-27-10)

Sec. 17-10. Establishment of rules.

(a) When the agency is functioning as a review board, it will need to establish written rules of procedure and minimum submission requirements.

(b) When the agency writes the rules, it shall include, but not be limited to, rules governing:

- (1) Conduct of business
- (2) Public meetings
- (3) Period within which to act
- (4) Right of appeal
- (5) Periodic reports

(Ord. of 5-27-10)

Sec. 17-11. Corporate power of the agency.

(a) The redevelopment agency shall have the powers as stated in G.L. 1956, chapters 45-31 through and including 45-33, inclusive, but as restricted below and as further restricted as set forth in section 17-12 hereinbelow. These powers are to:

- (1) Sue and be sued, to borrow money and to compromise and settle claims with town council approval as required by section 17-12; to have a seal; and to make and execute contracts and other instruments necessary or convenient to the exercise of its powers.
- (2) Make, and, from time to time, amend and repeal bylaws, rules, and regulations, consistent with G.L. 1956, chs. 45-31--45-33, inclusive, to carry into effect the powers and purposes of these chapters.

- (3) Select and appoint such officers, agents, counsel, and employees, permanent and temporary, as it may require, and determine their qualifications, duties, and compensation, subject to the provisions of the Town Charter.
- (4) Within the redevelopment area or for purposes of redevelopment: to purchase, lease, obtain an option upon, acquire by gift, grant, bequest, devise, or otherwise, any real or personal property, or any estate or interest therein, together with any improvements thereon to acquire by the exercise of the power of eminent domain any real property or any estate or interest therein except as set forth and limited in section 17-14 below; to clear, demolish, or remove any and all buildings, structures, or other improvements from any real property so acquired; to rehabilitate or to otherwise improve any or all substandard buildings, structures, or other improvements; to insure or provide for the insurance of any real or personal property or operations of the agency against risk or hazard; and to rent, maintain, rehabilitate, improve, manage, operate, repair, and clear the property.
- (5) Develop as a building site or sites any real property owned or acquired by it.
- (6) Cause streets and highways to be laid out and graded, and pavements or other road surfacing, sidewalks, and curbs, all of the foregoing to be designed and built pursuant to the then existing standards set forth in the town's ordinances and/or regulations unless otherwise specifically waived with the consent of the planning board, public utilities of every kind, parks, playgrounds, and other recreational areas, off-street parking areas and other public improvements to be constructed and installed.
- (7) Prepare or have prepared all plans necessary for the redevelopment of blighted and substandard areas; with the consent and approval of the planning board, to carry on and perform, for and on behalf of the planning board, and with the planning board's review and recommendation to the town council, all or any part of the planning activities and functions within the redevelopment district; to undertake and perform, for the community, industrial, commercial, and family relocation services; to obtain appraisals and title searches; to make investigations, studies, and surveys of physical, economic, and social conditions and trends pertaining to a community; to develop, test, and report methods and techniques and carry out research and other activities for the prevention and the elimination of blighted and substandard conditions and to apply for, accept, and utilize grants of funds from the federal government and other sources for those purposes; and with reasonable notice to enter any building or upon property in any redevelopment area in order to make investigations, studies, and surveys, and, if entry is denied or resisted, an agency may petition the superior court in and for the county in which the land lies for an order for this purpose.
- (8) Undertake technical assistance to property owners and other private persons to encourage, implement, and facilitate voluntary improvement of real property.
- (9) Undertake and carry out code enforcement projects pursuant to the provisions of appropriate federal and state legislation, including but not limited to RIGL § 45-31.1-1 et seq.
- (10) Invest any funds held in reserves or sinking funds or any funds not required for immediate disbursement, in property or securities in which savings bonds may legally invest funds subject to their control; and to purchase its bonds at a price not more than the principal amount thereof and

accrued interest, all bonds so purchased to be cancelled.

- (11) Lend money and to sell, lease, exchange, subdivide, transfer, assign, pledge, encumber (by mortgage, deed of trust, or otherwise) or otherwise dispose of any real or personal property or any estate or interest therein acquired under the provisions of G.L. 1956, chs. 45-31--45-33, inclusive, to the United States, the state government, any state public body, or any private corporation, firm, or individual at its fair value for uses in accordance with the redevelopment plan, irrespective of the cost of acquiring and preparing the property for redevelopment. In determining the fair value of the property for uses in accordance with the redevelopment plan, the agency shall take into account, and give consideration to, the uses and purposes required by the plan, the restrictions upon, and the obligations assumed by the purchaser or lessee of the property, and the objective or the redevelopment plan for the prevention of the recurrence of blighted and substandard conditions. No sale or lease shall be made until at least ten days after the town council has received from the agency a report concerning the proposed sale or lease.
- (12) Obligate the purchaser or lessee of any real or personal property or any estate or interest therein to:
 - a. Use the property only for the purpose and in the manner stated in the redevelopment plan;
 - b. Begin and complete the construction or rehabilitation of any structure or improvement within a period of time which the agency fixes as reasonable;
 - c. Comply with such other conditions as in the opinion of the agency are necessary to prevent the recurrence of blighted and substandard conditions and otherwise to carry out the purposes of G.L. 1956, chs. 45-31--45-33, inclusive. The agency, by contractual provisions, may make any of the purchasers' or lessees' obligations, covenants, or conditions running with the land, and may provide that, upon breach thereof, the fee shall revert to the agency;
 - d. Exercise all or any part of combination of the powers granted by G.L. 1956, chs. 45-31--45-33, inclusive, which are incorporated in this section by reference; and
 - e. Have the power to make relocation payments to transients or eligible individuals, families, and business concerns for moving expenses and losses of property resulting from their displacement by any redevelopment project undertaken pursuant to the provisions of G.L. 1956, chs. 45-31--45-33, inclusive, subject to the conditions as stated in G.L. 1956, § 45-31-26.

(b) Nothing contained in this chapter authorizes the agency to construct any new buildings for residential, commercial, industrial, or other uses contemplated by the redevelopment plan.

(c) Nothing contained in this chapter authorizes the agency to retain for a period in excess of five years from the date of acquisition, or within another additional period of time that the legislative body fixes as reasonable, the fee or any estate or any interest in it to any building, structure, or other improvement, not demolished or otherwise removed, which has been acquired by the agency in accordance with the redevelopment plan.

(Ord. of 5-27-10)

Sec. 17-12. Town council approval.

Town council approval is required for any redevelopment agency action involving (a) borrowing, lending or investing money, (b) offering and/or making relocation payments, (c) the sale, lease, exchange, subdivision, transfer, assignment, pledge, encumbrance (by mortgage, deed of trust, or otherwise) or any other disposition of any real or personal property, (d) taking of property by eminent domain, (e) bringing suit, (f) appointing personnel, including but not limited to agency staff and legal counsel and (g) any and all other agency actions regarding the expenditure of funds in an amount greater than \$1,000.00.

(Ord. of 5-27-10)

Sec. 17-13. Designation of redevelopment area.

(a) The town council shall have the sole authority to designate by ordinance one or more areas within the community as a redevelopment area or areas, and to determine the boundaries thereof, in accordance with the provisions of G.L. 1956, §45-32-4 which is incorporated in this section by reference

(b) Designation of the Branch Village Redevelopment Area

(1) Area Boundaries.

The redevelopment area comprises 87 assessor's lots totaling 11,496,148 square feet or 263.92 acres in the Branch Village area, Town of North Smithfield, Rhode Island. The redevelopment area is bounded to the west by Route 146, and generally includes the land south of Great Road and north of Pound Hill Road from Route 146 east to Mendon Road; excluding the residentially zoned land north of Pound Hill Road in the Premisy Hill area, the land north of Great Road from the former Tupperware Mill to the end of the Business Neighborhood area approximately 1,100 feet from the intersection of St Paul, the land on the west side of St Paul Street from Great Road to the north approximately 2000 feet and on the east side of St Paul Street extending from the intersection of Great Road north approximately 1,340 feet. The area shall be known as the Branch Village Redevelopment Area.

Table I lists the properties included in the redevelopment area.

TABLE I. REDEVELOPMENT AREA LOTS

TABLE INSET:

	Plat	Lot	Lot Size (SF)
1	5	377	33355
2	5	452	13261
3	5	481	12106
4	5	163	12036

5	5	165	30492
6	5	169	29403
7	5	180	43081
8	5	182	45203
9	5	184	12732
10	5	232	20691
11	5	280	3687
12	5	287	14300
13	5	297	43041
14	5	220	5760
15	5	221	53140
16	5	223	42300
17	5	224	7400
18	5	225	18570
19	5	226	24394
20	5	228	23600
21	5	239	81893
22	5	242	74488
23	5	244	16808
24	5	246	63598
25	5	251	4957
26	5	256	5150
27	5	260	5770
28	5	262	5391
29	5	270	17424
30	5	29	14104
31	5	49	77537
32	5	50	30870
33	5	51	35300
34	5	52	60113
35	5	54	326264
36	5	55	39500
37	5	56	7975
38	5	57	14952
39	5	58	34848

40	5	59	6750
41	5	61	20000
42	5	62	31363
43	5	64	662112
44	5	65	2995621
45	5	6-A	231304
46	5	69	19166
47	5	79	344734
48	5	80	188397
49	5	85	745312
50	5	111	12038
51	5	112	18175
52	5	121	18295
53	5	122	4347
54	5	207	13227
55	5	210	48988
56	5	211	50924
57	5	213	5770
58	5	214	19700
59	5	215	7000
60	5	216	12450
61	5	217	11225
62	5	219	28400
63	5	457	37462
64	5	471	208652
65	5	479	1873080
66	5	247	4792
67	5	250	3920
68	5	253	4792
69	5	255	147233
70	5	263	7405
71	5	29	1410473
72	5	58	34848
73	5	125	6098
74	6	246	9740

75	6	296	9525
76	6	60	5000
77	6	126	95396
78	6	129	21169
79	6	337	554954
80	6	20	62726
81	6	21	16894
82	6	22	19063
83	6	25	16950
84	6	237	12159
85	6	239	10349
86	6	243	14400
87	6	240	8276
TOTAL			11,496,148

(2) Findings By Town Council.

The town council hereby expressly finds that the Branch Village Redevelopment Area suffers from blighted and substandard conditions and requires replanning, redevelopment, rehabilitations, improvement and/or a combination of these remedies.

(3) Purpose of Town Council; Plan Incorporated By Reference.

The purpose and intent of the town council is that the Branch Village Redevelopment Area be redeveloped in accordance with and pursuant to the Branch Village Redevelopment Plan (Phase I, adopted by the town council on November 19, 2007, and Phase II, adopted by the town council on July 28, 2008), which is hereby incorporated by reference.

(4) Determination that Plan Is Feasible and Conforms To Comprehensive Plan.

The North Smithfield Town Council hereby determines that the Branch Village Redevelopment Plan is feasible and conforms to the Comprehensive Plan, as found by the town's Planning Board on November 15, 2007 (Phase I), and on June 26, 2008 (Phase II), for the Town of North Smithfield and if carried out will promote the public health, safety, morals and welfare of the community, and would effectuate the purposes of R.I.G.L. chapters 45-31 through 45-33.

(v) Plan Designated As Approved Plan For Branch Village Redevelopment Area.

The Branch Village Redevelopment Plan which is incorporated herein by reference is hereby designated as the approved plan for the Branch Village Redevelopment Area.

Sec. 17-14. Property acquisition through eminent domain.

Subject to the limitations set forth herein, the agency shall have the power to acquire property by eminent domain with town council approval and pursuant to G.L. 1956, Sections 45-32-24--45-32-41 which are incorporated in this section by reference. An estate or interest less than fee simple, including but not limited to an easement that, in the sole determination of the agency, does not unduly burden the operation of an operating business, may be acquired by eminent domain. The necessity for the acquisition of property shall be conclusively presumed upon the adoption by the agency of a resolution which shall first be approved and adopted by the town council and shall:

- (1) Contain a description of the real property or any estate or interest therein sufficient in detail to permit an identification thereof.
- (2) Declare that the acquisition of the real property or any estate or interest therein is in the public interest and necessary for the public use.
- (3) State that the real property or any estate or interest therein is included in an approved redevelopment project.

Notwithstanding anything in state law or herein to the contrary, the agency shall NOT have the power to acquire by eminent domain a fee simple estate or interest in the following: (a) any residential property containing a habitable dwelling unit, or (b) any commercial, industrial, or mixed-use property containing an operating business, or (c) any arrested blight area considered blighted solely by the existence in greater than incidental quantities of (i) unsuitable soil conditions (except where the existence of such soil conditions is due to manmade contamination), or (ii) ledge or rock, or (iii) the necessity of undertaking unduly expensive measures for the drainage of the area or for the prevention of flooding thereof.
(Ord. of 5-27-10)

Sec. 17-15. Filing in land evidence.

In the case of an estate or fee taken by eminent domain:

- (a) The agency shall file in the land evidence records for where the real property is located:
 - (1) A copy of the resolution.
 - (2) A plat showing the real property taken or affected.
 - (3) A declaration that the property is taken pursuant to the provisions of G.L. 1956, chs. 45-31--45-33, inclusive, and indicating the nature and extent of the property taken.
- (b) After filing a copy of the resolution, plat, and declaration, the agency shall file in the superior court a statement of the sum of money estimated by the agency to be just compensation for the property taken, and shall deposit the sum in the superior court for use of the entitled persons.
- (c) After the filing of the resolution, plat, and declaration, the secretary of the agency shall have a copy

of the resolution and declaration published in the newspaper.

- (d) All real property acquired by an agency for redevelopment purposes shall be subject to taxation in the same manner and at the same rate as other real property in the community, except as may be exempted by a vote of the town council at a duly posted meeting.

(Ord. of 5-27-10)

Sec. 17-16. Bylaws rules and regulations.

The redevelopment agency has the power to make, amend, and repeal bylaws, rules, and regulations for the purposes of carrying out redevelopment goals within the defined districts; provided, however, that no such bylaws, rules and regulations shall contravene any term or provision of this chapter.

(Ord. of 5-27-10)

Sec. 17-17. Power to regulate development in redevelopment districts.

The redevelopment agency is authorized to regulate development in redevelopment districts designated by the town council within the Town of North Smithfield subject to future adopted redevelopment plans. The redevelopment agency is authorized to regulate all improvements within the district including the construction, reconstruction, alteration, repair, demolition, removal, rehabilitation of the exterior of new and existing commercial, industrial and residential buildings and appurtenances within the district which requires building permits or other approvals from the town. Such review shall occur concurrently with planning board review within the district.

(Ord. of 5-27-10)

Sec. 17-18. Adoption of rules and standards.

The redevelopment agency shall adopt and publish all rules necessary to carry out its function.

(Ord. of 5-27-10)

Sec. 17-19. Advice to other bodies.

The redevelopment agency may advise the zoning board of review on all requests for variances and special use permits authorized in the district. The redevelopment agency may also provide comments to the planning board and the town council on all proposed amendments to the comprehensive plan and all subdivision and/or land development reviews regarding redevelopment districts.

(Ord. of 5-27-10)

Sec. 17-20. Record.

The redevelopment agency shall keep a record of all proceedings, findings, decisions and actions and such record shall be open to the public.

(Ord. of 5-27-10)

Sec. 17-21. Agency approval process.

(a) *Application.* Before any property owner applies for a building permit or commences any improvements on public or private land including the construction, reconstruction, alteration demolition removal and/or rehabilitation of the exterior of new and existing buildings, or appurtenances requiring a building permit or other town approvals (paving, curb cuts, parking areas, drainage, etc.) within a redevelopment district, a written application for such work and appropriate development plans shall be submitted to the town planner who shall forward such application to the redevelopment agency.

(b) *Form.* An application form shall be developed by the redevelopment agency and shall include all information which is reasonably necessary to evaluate the proposed work. If any planning board or zoning board approval is also required, the application form and checklists of the planning board or zoning board (or only planning board if acting as both pursuant to any provision of the Rhode Island General laws) shall be utilized by the redevelopment agency.

(c) *Review.* The redevelopment agency shall review all applications for new construction, major additions, moving of structures and demolitions of buildings. Such review shall be held during a regular meeting of the redevelopment agency and open to the public, for which advance written notice has been given to the applicant, property owner, and abutting property owners. A determination shall be made within 30 business days (and may be extended up to 90 days by the agency for good cause set forth in writing) of the commencement of the hearing.

(d) *Approval, approval with conditions, denial.* The redevelopment agency shall be authorized to approve, approve with conditions or deny an application. Approval shall be based upon conformance with the regulations and standards adopted by the redevelopment agency. The redevelopment agency shall place on the record its reasons and conditions for approval or denial of the application.

(e) *Request for comment.* In order to assist in its review of plans, the redevelopment agency may request other agencies and boards to review and comment on proposals. Any other agency or board may review and comment on proposals regardless of whether the redevelopment agency requests same.
(Ord. of 5-27-10)

Sec. 17-22. Conduct of business.

(a) *Public meetings.* All meetings of the agency shall be open to the public.

(b) *Public record.* The agency shall keep a record, which shall be open to public view, of its resolutions, proceedings, findings, decisions, and actions.

(c) *Notice.* The agency shall provide notice of its meetings and comply in all respects with the requirements of the open meetings law.

(d) *Opportunity to be heard.* Any town resident or other interested person, or his duly constituted representative, shall have an opportunity to appear and be heard on any matter before the agency reaches a decision.
(Ord. of 5-27-10)

Sec. 17-23. Periodic reports.

It shall be the duty of the agency to file with the town council a quarterly detailed report of all its transactions, including a statement of all revenues and expenditures.
(Ord. of 5-27-10)