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2012 Providence Ballot Question and Charter Amendment Summaries



The 2012 general election is scheduled for Tuesday, November 6. Polls in Rhode Island will be open from 7am to 8pm. Voters unable to vote on Election Day have an opportunity to cast an absentee ballot from now until the day before Election Day at the Providence Board of Canvassers on the first floor of City Hall.

Please note that because of new state requirements, voters must show a form of identification at the

polling place to cast a ballot.

Voters will be given three ballots. There are two state ballots (white) and one local ballot (yellow). The state ballots includes all candidates for the federal and state elections, including the Presidential election, and seven state referenda. Information about the state ballot is available on the Secretary of State's website (<http://sos.ri.gov>).

The local Providence ballot will include 11 local questions. The local questions include a proposal for the City to issue a \$40 million bond to support the repair of 65 miles of roads and 10 questions proposing amendments to the Providence Home Rule Charter.

Every 10 years a commission is appointed by the Providence City Council and the Mayor to review and make recommendations regarding the Providence Home Rule Charter. The Charter is the City's guiding document and provides the framework for its form of government, defines the duties and powers of the branches of government and gives the public a voice in how the City will provide services. This year's commission was appointed in January 2012 and met 15 times from February 1 through June 6. Its comprehensive review included recommendations from a broad range of groups and individuals including private citizens, City Council members, the City Solicitor's Office, City employees, department directors and community advocates.

After receiving all recommendations, the Commission held public hearings and issued a comprehensive report to the City Council. The report is available at the Clerk's Office in City Hall. The City Council approved 10 recommendations, which have been placed on the November 6, 2012 ballot for voter approval.

A summary of the local Providence ballot questions follows.

Question 8: Finance the Design, Construction, Repair, Rehabilitation and Improvement of Streets and Sidewalks - \$40,000,000

If approved, this referendum will authorize the City to issue a \$40 million general obligation bond to improve roads across Providence. Construction would begin in Spring 2013 and run through Fall 2015 and would include repairs on more than 65 miles of roads. The project will support as many as 750 jobs over three years. The debt service (principal, fees and interest) of this bond over 20 years will be \$64 million, or just under \$20 per resident per year. Complete maps of the planned projects and additional information about the Roads Bond can be accessed at www.ProvidenceRI.com/roadbond.

Question 9: Shall the terms used in the Charter be defined as follows for clarity and consistency?: (a) "City" shall mean the

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City of Providence, in the County of Providence, and the State of Rhode Island. (b) "Council" shall mean the duly elected city council of the City of Providence. (c) "Domiciled" shall mean that place where a person has his or her true, fixed, and permanent home and principal establishment, and to which whenever he or she is absent has the intention of returning. (d) Mayor. Whenever the word "mayor" is used, it shall mean the mayor of the City of Providence. (e) "Quorum" shall mean a majority of the members of a public body or duly appointed committee. Adds Section 107.

Question 9 adds a new Section 107 to the charter to provide definitions for language used throughout the charter, ensuring consistency in interpretation and application. These changes are based on the recommendations from the City Solicitor's Office and the models in the Rhode Island General Laws and federal legislation.

Question 10: Shall charter review commissions be appointed as of September 1, 2021, and every ten years thereafter? Amends Section 1302.

Question 10 aims to address insufficient time constraints for the appointed Charter Review Commission to develop and study recommendations and hold public hearings. Commissions have previously been appointed during January of an election year in which residents will vote on amendments to the Charter. This amendment would allow the future Commissions - starting in 2021 - to be appointed in September of the year preceding an election in which residents will vote on amendments to the Charter. This amendment would provide the Commission with an additional three months of review and comments before making recommendations to the City Council.

Question 11: Shall amendments approved by electors of the city be effective upon approval, unless otherwise noted? Amends Section 1401.

This question is a technical amendment that adds the necessary language to the Charter to ensure that any amendments approved in 2012 comply with the law and take effect once they are approved by the voters.

Question 12: Shall the term "personnel department" be replaced with "human resources department" wherever it appears in the charter. Amends Sections 901 through 903.

This is a technical amendment that changes the name of the "personnel department" to the "human resources department." The changes modernize the Charter's language and reflect current practice.

Question 13: Shall it be the responsibility of the human resources department to enforce the procedures for suspension, discharge, reduction in class position, and layoff of employees? Amends Section 903(j).

Currently, hiring authorities, such as department heads and others in supervisory hiring positions may perform these functions. The amendment will centralize the City's employee functions so that hiring authorities themselves do not suspend, discharge, demote or layoff employees. Instead the hiring authorities may make referrals and recommendations to the director of human resources concerning the demotion, suspension and dismissal of employees under their jurisdiction. This recommendation is consistent with prevailing practices and provides a more equitable disciplinary process.

Question 14: Shall the responsibility of the human resources department be changed to eliminate examining and approving all payrolls and monitoring residency requirements? Amends Sections 901(l) and (p).

This amendment brings the City Charter into compliance with current state law that prohibits local residency requirements.

Question 15: Shall the qualifications for the director of the department of public property be a bachelor's degree or a minimum of five (5) years of experience in the field? Amends Section 1006.

The amendment would allow the hiring of a person who has either five years of work experience or a 4-year college degree.

Question 16: Shall the Providence Emergency Management Agency and Homeland Protection Department be placed under the jurisdiction of the Department of Public Safety, under the supervision of the Commission of Public Safety? Amends Section 1001.

The federal government has authorized cities to establish an agency charged with implementing security measures in the event of an emergency. This amendment places the Providence Emergency Management Agency (PEMA) and Department of Homeland Security under the authority of the Public Safety Department. This amendment aims to streamline the department's reporting process and improve communications across all

emergency response departments, including PEMA, Providence Police, Fire and Communications Departments. The PEMA director and PEMA council will remain mayoral appointees, but will report to the Commissioner of Public Safety.

Question 17: Shall the Charter prohibit city officials from using their authority or influence to secure city employment for any person within his or her family or any business associates? Adds Section 1206(e).

This amendment seeks to promote a more honest and transparent City government. The amendment would prohibit the use of influence to hire family members or business associates and will specifically apply to the mayor, City Council and department heads. The provision will be applied prospectively and will not impact any current employee.

Question 18: Shall the committee on ward boundaries be elected by the city council in January of 2012 and every tenth year thereafter, and shall new requirements for revising ward boundary lines be established to include additional public hearings and opportunities for public comment, specifications for council approval of the plan, and criteria for drawing ward boundaries. Amends Section 204.

This amendment seeks to improve the ward boundary revision process. Specifically, the amendment would provide an additional 9 months to review and revise boundaries following a census. The provision would also increase public comment and public notice requirements to encourage more input from community members.

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