

THE CITY OF PROVIDENCE
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

RESOLUTION OF THE CITY COUNCIL

No. 235

Approved April 13, 2011

RESOLVED, That the Members of the Providence City Council hereby Endorse and Urge Passage by the General Assembly of House Bill 2011-H 5945 and Senate Bill 2011-S 652, Entitled: An Act Relating to Towns and Cities.
(Federally Funded Lead Court)

IN CITY COUNCIL

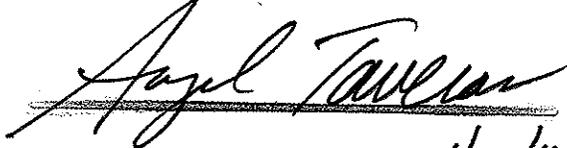
APR - 7 2011

READ AND PASSED


PRES.

CLERK

APPROVED


MAYOR 4/13/11

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2011

A N A C T

RELATING TO TOWNS AND CITIES

Introduced By: Representatives Williams, Slater, Carnevale, Blazejewski, and Medina

Date Introduced: March 17, 2011

Referred To: House Municipal Government

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 45-24.2-7 of the General Laws in Chapter 45-24.2 entitled
2 "Minimum Housing Standards" is hereby amended to read as follows:

3 ~~45-24.2-7. Penalties—District court jurisdiction—Providence housing court—~~

4 ~~Municipal court of the town of North Providence—Review by Supreme Court Penalties -~~

5 ~~District court jurisdiction - Providence housing court—Lead court calendar - Municipal~~
6 ~~court of the town of North Providence - Review by Supreme Court. - (a) Failure to comply~~

7 with any ordinance, rule, or regulation passed pursuant either to the authority hereof or to any
8 special act governing minimum housing shall constitute a violation, as defined in section 11-1-2,
9 punishable by a fine of not more than five hundred dollars (\$500) for each violation, and each
10 day's failure to comply with any provision shall constitute a separate violation. The district court
11 shall have exclusive original jurisdiction of all violations as provided in section 12-3-1; provided,
12 that in the city of Providence, the Providence housing court shall have jurisdiction to try
13 violations occurring within the city of Providence; provided, further, that in the town of North
14 Providence, the municipal court of the town of North Providence shall have jurisdiction to try
15 violations occurring within the town of North Providence, but only in the event that the city shall
16 by ordinance create a court for the purpose of exercising jurisdiction over minimum housing
17 standards. A party aggrieved by any judgment of the district court imposing a fine pursuant to this
18 section may seek review by the supreme court in accordance with section 12-22-1.1.

19 ~~(b) The city council of the city of Providence may establish within its housing court a~~

1 separate calendar within the jurisdiction of the housing court to be known and referred to as the
2 "lead court calendar" for the hearing trial and disposition of actions involving lead within
3 buildings and on premises or property in the city of Providence, including, but not limited to,
4 actions brought pursuant to chapters 23-24.6 ("Lead Poisoning Prevention Act") and/or 42-128.1
5 ("Lead Hazard Mitigation"). The jurisdiction of the "lead court calendar" of the Providence
6 housing court shall be concurrent with any other court or entity given jurisdiction to hear such
7 matters under the general laws. A justice of the lead court calendar may defer or order a case
8 removed to another court or forum of competent jurisdiction, including, but not limited to, an
9 appropriate administrative agency, if the judge determines that such other court or forum would
10 be a more appropriate court or forum to hear the matter involved.

11 SECTION 2. This act shall take effect upon passage.

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LC01971
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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T
RELATING TO TOWNS AND CITIES

- 1 This act would allow the city of Providence to establish a lead court calendar within its
- 2 housing court.
- 3 This act would take effect upon passage.

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LC01971
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2011 -- S 0652

LC01826**STATE OF RHODE ISLAND**

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2011

**A N A C T
RELATING TO TOWNS AND CITIES****Introduced By:** Senators Jabour, Metts, and Pichardo**Date Introduced:** March 10, 2011**Referred To:** Senate Judiciary

It is enacted by the General Assembly as follows:

- 1-1 SECTION 1. Section 45-24.2-7 of the General Laws in Chapter 45-24.2 entitled
 1-2 "Minimum Housing Standards" is hereby amended to read as follows:
 1-3 ~~45-24.2-7. Penalties -- District court jurisdiction -- Providence housing court --~~
 1-4 ~~Municipal court of the town of North Providence -- Review by Supreme Court Penalties -~~
 1-5 ~~District court jurisdiction - Providence housing court --Lead court calendar - Municipal~~
 1-6 ~~court of the town of North Providence - Review by Supreme Court. -~~ (a) Failure to comply
 1-7 with any ordinance, rule, or regulation passed pursuant either to the authority hereof or to any
 1-8 special act governing minimum housing shall constitute a violation, as defined in section 11-1-2,
 1-9 punishable by a fine of not more than five hundred dollars (\$500) for each violation, and each
 1-10 day's failure to comply with any provision shall constitute a separate violation. The district court
 1-11 shall have exclusive original jurisdiction of all violations as provided in section 12-3-1; provided,
 1-12 that in the city of Providence, the Providence housing court shall have jurisdiction to try
 1-13 violations occurring within the city of Providence; provided, further, that in the town of North
 1-14 Providence, the municipal court of the town of North Providence shall have jurisdiction to try
 1-15 violations occurring within the town of North Providence, but only in the event that the city shall
 1-16 by ordinance create a court for the purpose of exercising jurisdiction over minimum housing
 1-17 standards. A party aggrieved by any judgment of the district court imposing a fine pursuant to this

1-18 section may seek review by the supreme court in accordance with section 12-22-1.1.

1-19 (b) The city council of the city of Providence may establish within its housing court a
 2-1 separate calendar within the jurisdiction of the housing court to be known and referred to as the
 2-2 "lead court calendar" for the hearing, trial, and disposition of actions involving lead within
 2-3 buildings and on premises or property in the city of Providence, including, but not limited to,
 2-4 actions brought pursuant to chapters 23-24.6 ("Lead Poisoning Prevention Act") and/or 42-128.1
 2-5 ("Lead Hazard Mitigation"). The jurisdiction of the "lead court calendar" of the Providence
 2-6 housing court shall be concurrent with any other court or entity given jurisdiction to hear such
 2-7 matters under the general laws. A justice of the lead court calendar may defer or order a case
 2-8 removed to another court or forum of competent jurisdiction, including, but not limited to, an
 2-9 appropriate administrative agency, if the judge determines that such other court or forum would
 2-10 be a more appropriate court or forum to hear the matter involved.

2-11 SECTION 2. This act shall take effect upon passage.

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**EXPLANATION
 BY THE LEGISLATIVE COUNCIL
 OF**

**A N A C T
 RELATING TO TOWNS AND CITIES**

3-1 This act would allow the city of Providence to establish a lead court calendar within its
 3-2 housing court.

3-3 This act would take effect upon passage.

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 LC01826
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