

City of Providence

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

CHAPTER 1988-18

No. 310 **AN ORDINANCE** IN AMENDMENT OF AND IN ADDITION TO ARTICLE III OF THE CODE OF ORDINANCES OF THE CITY OF PROVIDENCE, ENTITLED: "GARBAGE, TRASH AND REFUSE." BY ADDING SECTIONS 12-80 TO 12-86, AS AMENDED

Approved June 22, 1988

Be it ordained by the City of Providence:

SECTION. 1. Article III of the Code of Ordinances of the City of Providence is hereby amended by adding the following:

SEC. 1280. PENALTIES FOR LITTERING VIOLATIONS:

(a) Generally. The general penalties provided for by Sec. 1-10 of the Code of Ordinances shall apply to violations of this Chapter or any regulations made thereunder except that any person electing to appear before the clerk of court, or mailing the same, in lieu of a personal appearance before the Providence Municipal Court and admitting the violation charged, shall be punished by a fine as hereinafter respectively set forth:

<u>OFFENSE</u>	<u>FINE</u>
01 Improper storage of Commercial Trash/Garbage	\$50.00
02 Trash Disposal W/O Permit	50.00
03 Illegal Dumping	300.00
04 Failure to Clean Sidewalk	15.00
05 Failure to Shovel Snow from Sidewalk	15.00
06 Dumpster W/O, or in Violation of, Permit	50.00
07 Improper or Early Storage of Household Trash	25.00
08 Allowing Dog to Foul	15.00
09 OTHER	.00

In the event any of the foregoing stated fines are not paid or a plea of not guilty to the citation is not entered prior to the fourteenth day after date of violation, said fines shall be doubled.

In the event any of the foregoing stated fines are not paid or plea of not guilty to the citation is not entered subsequent to the fourteenth day and prior the twenty-eighth day after date of violations, said fines shall be tripled.

SEC. 12-81. PAYMENT OF FINES -- Generally a person charged with the violation of any litter regulation relating to this section and notified by the Director of Public Works to appear to answer such charge before the Providence Municipal Court may, in lieu of such appearance, elect to appear in person or by one duly authorized by him in writing, before the clerk of said court, admit the truth of said charge, and pay to said clerk the designated fine; provided that such appearance admission and payment be made at the office of said clerk during regular business office hours, within sixty (60) days of such notification, and failure to so appear shall be deemed a waiver of the right to dispose of such charge without personnel appearance in court.

SEC. 12-82. SAME -- PAYMENT BY MAIL

(a) Any person charged with any violation relating to litter, except as otherwise provided, may elect to mail in said violation tag to the clerk of the Providence Municipal Court, accompanied by payment of the designated fine, and the name and address of the violator. Such privilege of paying the fine by mail shall be exercised within sixty (60) days from the date of the offense by depositing the designated payment of such fine in a dispository maintained by the United States Post Office Department for the collection of mails and the postage cancellation shall be prima facie evidence of the time of deposit.

(b) In those cases where mail is used for payment of such fine, the payment may be in cash or by check or by money order, and in those cases where payment is attempted with a check drawn against insufficient funds, an additional payment of ten (\$10) dollars shall be imposed against the violator to defray administrative costs. In those cases where payment is by cash, it shall be at the risk of the sender and the record of the clerk of the municipal court shall be conclusive as to receipt and amount of the same.

SEC. 12-83. SAME -- EFFECT OF PAYMENT

The payment of a fine to the clerk of the municipal court as herein provided, for the violation of a litter regulation relating to this section shall operate as a final disposition of the charge and such proceedings shall not be deemed criminal.

SEC. 12-84. SAME -- NOTICE REQUIREMENTS

Notice of any litter violation relating to this section shall indicate the offense charged, schedule of fines for such violation, the time within which the privilege of paying such fine by mail may be exercised, the place to which such fine may be mailed and such other information as will enable the person charged to take advantage of the provision hereof.

SEC. 12-85. EFFECT OF MULTIPLE VIOLATIONS RELATING TO LITTER REGULATIONS IN THIS SECTION.

(a) Notwithstanding anything herein contained, disposition of litter violation charge relating to this section without personal appearance in the municipal court may not be exercised by any person who in the consecutive period of twelve (12) months next preceeding such charge has been three (3) times in the aggregate adjudged guilty by the municipal court of any violation of any regulation relating to this section or has admitted the truth of charges made against him under the provisions hereof.

SEC. 12-86 FAILURE TO COMPLY

Any person charged with the violation of any litter regulation relating to this section as outlined in Section 12-80 (a) of the Code of Ordinances, who fails to make payment within sixty (60) days as required, may in the discretion of any justice of the Providence Municipal Court, be charged an additional sum of ten (\$10) dollars to cover administrative costs which shall be payable to the clerk of said court.

SECTION. 2. SEVERABILITY OF PARTS OF THIS SECTION.

It is hereby declared to be the intention of the city council that the paragraphs, sentences, clauses and phrases of this section are severable, and if any phrase, clause, sentence or paragraph of this section shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, and paragraphs of the section.

SECTION. 3. This Ordinance shall take effect upon its passage.

IN CITY COUNCIL

JUN 2 1988

FIRST READING

READ AND PASSED, *as amended*

Rosemenlover CLERK

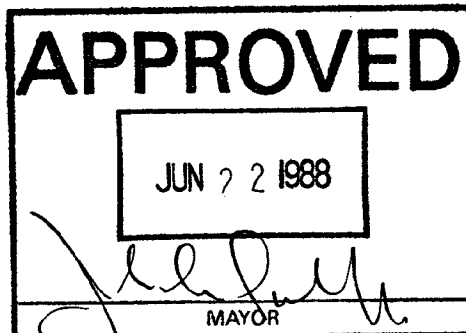
IN CITY
COUNCIL

JUN 21 1988

FINAL READING
READ AND PASSED

Walter W. Ector
PRESIDENT

Rosemenlover
CLERK



AN ORDINANCE IN AMENDMENT OF AND
IN ADDITION TO ARTICLE III OF THE
CODE OF ORDINANCES OF THE CITY OF
PROVIDENCE, ENTITLED: "GARBAGE, TRASH
AND REFUSE." BY ADDING SECTIONS 12-80,
TO 12-86, AS AMENDED

FILED
MAY 31 10 08 AM '88
DEPT. OF CLERK
PROVIDENCE, R.I.

THE COMMITTEE ON
ORDINANCES

Approves Passage of
The Within Ordinance, *as amended*

Rose M. Monahan
Clerk Chairman

May, 27, 1988



Department of Public Works

"Building Pride In Providence"

MEMORANDUM

TO: Robert Brooks, Deputy Chief of Staff

FROM: B. James Suzman, Director

DATE: July 25, 1988

RE: Designation of Persons to Issue Environmental and Snow
Summons Per Ordinance No. 310, Approved June 22, 1988

The following is a list of persons to be designated to issue Environmental and Snow Summons for enforcement of Ordinance No. 310.

Environmental -

B. James Suzman, Director
Gary Garafano, Deputy Director
Manuel Vincent, Highway Supt.
Peter Kanelos, Supt. of Sewer Construction
Pat Fiore, Deputy Highway Supt.
Henry Fortes, Environmental Manager
John Melvin, Deputy Supt. of Environmental
Robert Stizza, Environmental Officer
Pasquale Neri, Environmental Officer
Thomas Kelly, Special Asst. of Environmental Management
Thomas Foley,
Ethelyn Anderson, Chief of Planning & Maintenance

Snow

B. J. Suzman
G. Garafano
M. Vincent
P. Fiore
P. Kanelos
J. Melvin
H. Fortes

Also additional snow inspectors so designated in a snow emergency by the Director of Public Works.

cc: Rose Mendonca, City Clerk ✓