

City of Providence

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

CHAPTER 2013-29

NO. 329 **AN ORDINANCE** AMENDING CHAPTER 4, "ANIMALS AND FOWL," ARTICLE I, "IN GENERAL," TO ADD A NEW SECTION ENTITLED: "CONFINEMENT OF ANIMALS IN MOTOR VEHICLES PROHIBITED"

EFFECTIVE ~~APPROXIMATE~~ July 29, 2013

Be it ordained by the City of Providence:

SECTION 1. The Code of Ordinances of the City of Providence, Chapter 4, Article I, "In General," is hereby amended to add a new section entitled, "Confinement of animals in motor vehicles prohibited," as follows:

Sec. 4-12. - Confinement of animals in motor vehicles prohibited

(a) No person shall confine any animal in a motor vehicle in such a manner that places it in a life- or health-threatening situation by exposure to a prolonged period of extreme heat or cold, without proper ventilation or other protection from such heat or cold.

(b) *Authority to Enter Vehicle.* In order to protect the health and safety of an animal, an animal control officer, firefighter or law enforcement officer who has probable cause to believe that this section is being violated shall have authority to enter such motor vehicle by any reasonable means under the circumstances after making a reasonable effort to locate the owner or other person responsible.


(c) *Authority to Remove Animal.* A law enforcement officer, firefighter or animal control officer may take all steps that are reasonably necessary to remove an animal from a motor vehicle if the animal's safety, health or well-being appears to be in immediate danger from heat, cold or lack of adequate ventilation, lack of food or water, or any other circumstances that could reasonably be expected to cause extreme suffering, disability or death to the animal.



(d) *Notice of Removal of Animal.* A law enforcement officer, firefighter or animal control officer who removes an animal in accordance with this section shall, in a secure and conspicuous location on or within the motor vehicle, leave written notice bearing the officer's or agent's name and office and the address of the location where the animal may be claimed. The owner may claim the animal only after payment of all charges that have accrued for the maintenance, care, medical treatment and impoundment of the animal.


(e) A law enforcement officer, firefighter or animal control officer who removes an animal from a motor vehicle pursuant to this section is immune from criminal or civil liability that might otherwise result from the removal.

(f) *Penalties.* Any person convicted of violating any provision of this section shall be punished by the payment of a fine consisting of one hundred dollars (\$100.00) for a first offense, two hundred dollars (\$200.00) for a second offense, and three hundred dollars (\$300.00) and seizure of the animal for a third (and any succeeding) violation, said fines to be recovered for the use of the city. If such violation be continued, each day's violation may constitute a separate offense.

SECTION 2. This ordinance shall take effect upon passage.

IN CITY COUNCIL
JUL 02 2013
FIRST READING
READ AND PASSED
 CLERK

IN CITY
COUNCIL
JUL 18 2013
FINAL READING
READ AND PASSED
 PRESIDENT
 ACTING CLERK

Effective without the
Mayor's Signature

Anna M. Stetson
City Clerk