

**CHAPTER 2022-42**

**No. 329    AN ORDINANCE IN AMENDMENT OF CHAPTER 16, "OFFENSES AND MISCELLANEOUS PROVISIONS", ARTICLE 1, "IN GENERAL", SECTION 16-21 "LOUD OR UNRULY GATHERINGS - PUBLIC NUISANCE" OF THE CODE OF ORDINANCES OF THE CITY OF PROVIDENCE**

**Approved October 12, 2022**

*Be it ordained by the City of Providence:*


SECTION 1. Chapter 16, "Offenses and Miscellaneous Provisions", Article I, "In General", Section 16-21 "Loud or unruly gatherings - Public Nuisance", of the Code of Ordinance of the City of Providence is hereby amended as follows:

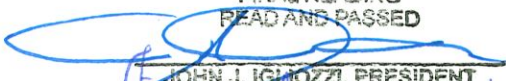

Sec. 16-21. - Loud or unruly gatherings-Public nuisance.

- (a) *[Defined.]* It shall be a public nuisance to conduct a gathering of five (5) or more persons on any private property in a manner which constitutes a substantial disturbance of the quiet enjoyment of private or public property in a significant segment of a neighborhood, as a result of conduct constituting a violation of law. Illustrative of such unlawful conduct are excessive noise or traffic, obstruction of public streets by crowds or vehicles, illegal parking, public drunkenness, public urination, the service of alcohol to minors, fights, disturbances of the peace, and litter.
- (b) *Notice via posting.* When the police department intervenes at a gathering which constitutes a nuisance under this ordinance, law enforcement shall post a notice on the premises at which such nuisance occurred. The posted notice shall state: a) that police intervention has been required as a result of a public nuisance under this section caused by an event at the premises; b) the date of the police intervention; and c) that if within a six (6) month period from the date of the notice any subsequent event on the same premises requires police intervention, such subsequent event shall result in the joint and several liability of any guests causing a public nuisance, or any persons who own or are residents of the property at which the public nuisance occurred, or any persons who sponsored the event constituting the public nuisance as more fully set forth below. The residents and owner(s) of such property shall be jointly responsible for ensuring that such notice is not removed or defaced, but in the case of an owner, said owner shall not be responsible until fourteen (14) days after notice is mailed pursuant to section (c) below. It shall be an ordinance violation carrying a penalty of a minimum, mandatory one hundred dollar (\$100.00) fine in addition to any other penalties which may be due under this section if such notice is removed or defaced, provided, however, that the residents of the premises or sponsor of the event, if present, shall be consulted as to the location in which such notice is posted in order to achieve both the security of the notice and its prominent display.
- (c) *Notice via mailing.* Notice of the intervention shall also be mailed to any property owner on the city property tax assessment records to advise the property owner that any subsequent such intervention within six (6) months on the same premises shall result in liability of the property owner for all penalties associated with such intervention. In addition, such notices shall state that any removal or defacement of said notice from the property shall be an ordinance violation subject to fines pursuant to section (b) of this ordinance.
- (d) *Enforcement.* Every time that the police department is required to respond to a gathering constituting a public nuisance on the premises within six (6) months of the posting of the notice of police intervention, the following persons shall be jointly and severally liable for a mandatory minimum five hundred dollar (\$500.00) fine.

- (1) The person, persons, or entities that own the property where the gathering constituting the public nuisance took place, provided that notice has been mailed to the owner of the property as set forth herein and the gathering occurs at least fourteen (14) days after the mailing of such notice.
- (2) The person or persons residing on or otherwise in control of the property where such a gathering took place.
- (3) The person or persons who organized or sponsored such gathering.
- (4) All persons attending such gatherings who engage in any activity resulting in the public nuisance.
- (5) Nothing in this section shall be construed to impose liability on the resident or owners of the premises or sponsor of the gathering for the conduct of persons who are present without the express or implied consent of the resident or sponsor, as long as the resident and sponsor have taken all steps reasonably necessary to exclude such uninvited participants from the premises, including landlords who are actively attempting to evict a tenant from the premises. Where an invited guest engages in conduct which the sponsor or resident could not reasonably foresee and the conduct is an isolated instance of a guest at the event violating the law which the sponsor is unable to reasonably control without the intervention of the police, the unlawful conduct of the individual guest shall not be attributable to the sponsor or resident for the purposes of determining whether the event constitutes a public nuisance under this section.
- (6) Proceeds from these fines shall be deposited in a restricted receipts account designated for nuisance abatement in the city.

SECTION 2. This ordinance shall take effect upon passage.

IN CITY COUNCIL  
 SEP 15 2022  
 FIRST READING  
 READ AND PASSED  
 CLERK  
 ACTING

IN CITY COUNCIL  
 OCT 6 2022  
 FINAL READING  
 READ AND PASSED  
 PRESIDENT  
 CLERK  
 ACTING

I HEREBY APPROVE.

  
 Mayor  
 Date: 10/12/22