

RESOLUTION OF THE CITY COUNCIL

No. 185

Approved April 29, 1996

RESOLVED, that the City Council endorses and urges passage by the General Assembly of Senate Bill 96-S 3039 and House Bill 96-H 8613 Relating to Health and Safety, in substantially the form attached.

IN CITY COUNCIL
APR 18 1996
READ AND PASSED

Evelyn V. Fargnoli
ACTING PRES.

Michael L. Clement
CLERK

APPROVED

APR 29 1996

Vincent A. Cianci
MAYOR

IN CITY COUNCIL
MAR 21 1996
FIRST READING
REFERRED TO COMMITTEE ON

CLERK

THE COMMITTEE ON
John M. Cusack
Approval Passage of
The Within Resolution
John M. Cusack
Chairman
APR 15 1996

Councilwoman Delgado

LC1653

STATE OF RHODE ISLAND

96-S 3039

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 1996

A N A C T

RELATING TO HEALTH AND SAFETY

96-S

3039

Introduced By: Senators Goodwin, Graziano
and Kells

Date Introduced: February 6, 1996

Referred To: Senate Committee on
Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 23-19.2-5 of the General Laws in Chapter
2 23-19.2 entitled "Local Health Regulations" is hereby amended to read
3 as follows:

4 23-19.2-5. Service of notice to remove refuse, solid waste, or
5 filth. -- (a) The notice shall be in writing signed by the city or
6 town clerk, or designee and served by any sheriff, deputy sheriff,
7 constable, police constable, or town sergeant, by reading the notice
8 in the presence and hearing of the owner, occupant, or his or her
9 authorized agent, or by leaving a copy of the order personally with or
10 at the last and usual place of abode of the owner, occupant, or agent,
11 if within this state. But if the premises are unoccupied, or the resi-
12 dence of the owner or agent is unknown or without the state, the
13 notice may be served by posting a certified copy of the notice on the
14 premises, and by advertising in one or more newspapers in such manner
15 and for such length of time as the city or town council may direct; or
16 (b) mailed by regular or certified mail to the owner, occupant, or
17 agent within this state. The nonreturn of such notice shall consti-

96-S 3039

1 tute a presumption or receipt. If two (2) notices of violation are
2 unanswered, then the municipal court judge has discretion to hold the
3 violation in default for any fine imposed.

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

LC1653

EXPLANATION

BY THE LEGISLATIVE COUNCIL

OF

AN ACT

RELATING TO HEALTH AND SAFETY

1 This act would substitute newspaper advertisements and per-
2 sonal services on the owner or occupant for violations of gar-
3 bage, solid waste, or filth with service by regular or certified
4 mail where two (2) unanswered notices of violations would result
5 in a discretionary decision by a municipal court judge to hold
6 the violator in default.

7 This act would take effect upon passage.

DLC1653

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

96-H 8613

JANUARY SESSION, A.D. 1996

A N A C T

RELATING TO HEALTH AND SAFETY

96-H 8613

Introduced By: Reps. Moura, Smith and DeSimoneDate Introduced: February 6, 1996Referred To: Committee on Corporations

It is enacted by the General Assembly as follows:

- 1 SECTION 1. Section 23-19.2-5 of the General Laws in Chapter
 2 23-19.2 entitled "Local Health Regulations" is hereby amended to read
 3 as follows:
- 4 23-19.2-5. Service of notice to remove refuse, solid waste, or
 5 filth. -- (a) The notice shall be in writing signed by the city or
 6 town clerk, or designee and served by any sheriff, deputy sheriff,
 7 constable, police constable, or town sergeant, ~~by reading the notice~~
 8 ~~in the presence and hearing of the owner, occupant, or his or her~~
 9 ~~authorized agent, or by leaving a copy of the order personally with or~~
 10 ~~at the last and usual place of abode of the owner, occupant, or agent,~~
 11 ~~if within this state. But if the premises are unoccupied, or the resi-~~
 12 ~~dence of the owner or agent is unknown or without the state, the~~
 13 ~~notice may be served by posting a certified copy of the notice on the~~
 14 ~~premises, and by advertising in one or more newspapers in such manner~~
 15 ~~and for such length of time as the city or town council may direct, or~~
 16 (b) mailed by regular or certified mail to the owner, occupant, or
 17 agent within this state. The nonreturn of such notice shall consti-

96-H 8613

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