

City of Providence

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

AN ORDINANCE
CHAPTER

CHAPTER 1984-9

No. 87 **AN ORDINANCE** IN AMENDMENT OF AND IN ADDITION
TO CHAPTER 15 SECTIONS 2-8 OF THE CODE OF ORDINANCES, ENTITLED
"MOTOR VEHICLES AND TRAFFIC."

Approved February 10, 1984

Be it ordained by the City of Providence:

SECTION 1. Chapter 15, Sections 2 through 8 inclusive of the Code of Ordinances of the City of Providence is hereby amended and added to so as to read as follows:

"SECTION 15-2. PENALTIES FOR TRAFFIC VIOLATIONS.

(a) Generally. The general penalties provided for by Section 1-10 of this 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>
Overtime parking from 1:00 a.m. to 7:00 a.m.....	\$ 5.00
Overtime parking from 7:00 a.m. to 1:00 a.m.	10.00
Parking during an emergency	50.00
Parking so as to obstruct the flow of traffic	50.00
Parking in prohibited area (no parking)	15.00
Parking within eight (8) feet of fire hydrant	15.00
Parking in a loading zone	15.00
Parking in taxi stand	15.00
Parking within twenty-five (25) feet of corner	15.00
Parking to obstruct driveway	15.00
Parking on sidewalk	15.00
Standing in prohibited areas	15.00
Double parking (more than three (3) feet from curb....	15.00
Parking in marked bus stop	15.00

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Parking in excess of one foot, but not more than three

(3) feet from curb	\$15.00
Parking with left wheels to curb	15.00
Angle parking	15.00
Parking on marked crosswalk or within intersection	15.00
Stopping bus away from curb	15.00
Parking in a tow zone	50.00
Violation of moving vehicle traffic regulation	25.00

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

(b) Meter Violations. Where overtime parking shall occur in a metered space, it shall be a separate violation for vehicles remained parked in said space for each consecutive unit of time beyond the first unit of time, up to a maximum of two (2) violations. (Ch. 2, §197, added by Ord. 1948, Ch. 163, §9; Ord. 1956, Ch. 1033, §1; Ord. 1961, Ch. 1443, §1; Ord. 1965, Ch. 1699, §1; Ord. 1969, Ch. 69-18, §1, 5-1-69; Ord. 1971, Ch. 71-36, §§ 1, 2, 6-7-71; Ord. 1981, Ch. 81-33, §1, 7-8-81)

"SECTION 15-3. PAYMENT OF FINES--GENERALLY.

A person charged with the violation of any traffic regulation relating to stopping, standing, parking, or operation of vehicles notified in writing by a police officer 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 fourteen (14) days of such notification, and failure to so appear shall be deemed a waiver of the right to dispose of such charge without personal appearance in court.

(Ch. 2, §198, added by Ord. 1956, Ch. 1033, § 2; Ord. 1962, Ch. 1456, § 1; Ord. 1965, Ch. 1699, §1; Ord. 1971, Ch. 71-36, §3, 6-7-71)

"SECTION 15-4. SAME--PAYMENT BY MAIL.

(a) Any person charged with any violation relating to stopping, standing, parking, or operation of vehicles, 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 fourteen (14) days from the date of the offense by depositing the designated payment of such fine in a depository 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. (Ch. 2, §198, added by Ord. 1956, Ch. 1033, §2; Ord. 1962, Ch. 1456, §1; Ord. 1965, Ch. 1699, § 1; Ord. 1971, Ch. 71-36, § 4, 6-7-71)

"SECTION 15-5 SAME--EFFECT OF PAYMENT.

The payment of a fine to the clerk of the Municipal Court as herein provided, for the violation of a traffic regulation pertaining to stopping, standing, parking or operation of vehicles, shall operate as a final disposition of the charge, and such proceedings shall not be deemed criminal. (Ch. 2, §198, added by Ord. 1956, Ch. 1033, §2; Ord. 1962, Ch. 1456, §1; Ord. 1965, Ch. 1699, §1)

"SECTION 15-6. SAME--NOTICE REQUIREMENTS.

Notice of any traffic violation to stopping, standing, parking, or operation of vehicles shall indicate the offense charged, a 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 avail himself of the provisions hereof. (Ch. 2, §198, added by Ord. 1956, Ch. 1033, § 2; Ord. 1962, Ch. 1456, § 1; Ord. 1965, Ch. 1699 §1)

"SECTION 15-7. EFFECT OF MULTIPLE VIOLATIONS RELATING TO STOPPING, STANDING, PARKING OR OPERATION.

(a) Notwithstanding anything herein contained, disposition of a traffic violation charge relating to stopping, standing, parking, or operation of vehicles without personal appearance in the Municipal Court, may not be exercised by any person who in the consecutive period of twelve (12) months next preceding such charge has been three (3) times in the aggregate adjudged guilty by the Municipal Court of any violation of any regulation relating to stopping, standing, or parking, or operation of vehicles, or has admitted the truth of charges made against him under the provisions hereof.

(b) Further, notwithstanding anything herein contained, no person shall dispose of or answer to a traffic violation charge relating to the operation of a motor vehicle except by a personal appearance in the Municipal Court in those cases where such a citation is issued for a violation relating to and preceding an accident which results in injury to a person or property damage. In all such cases, a personal appearance must be made before a judge of the Municipal Court, who upon a plea or finding of guilty may impose any penalty authorized by ordinance or law. (Ch. 2, § 198, added by Ord. 1956, Ch. 1033, §2; Ord. 1962, Ch. 1456, §1; Ord. 1965, Ch. 1699, §1)

"SECTION 15-8. FAILURE TO COMPLY.

Any person charged with the violation of any traffic regulation relating to stopping, standing, parking, or operation of vehicles as outlined in Section 15-2(a) of the Code of Ordinances, who fails to make payment within fourteen (14) days as required, may in the discretion of any Justice of the Providence Municipal Court, be charged an additional sum of FIVE (\$5) DOLLARS to cover administrative costs which shall be payable to the clerk of said court. (Ord. 1971, Ch. 71-36, §5, 6-7-71)

"SECTION 15-9. NOTIFICATION OF THE ADMINISTRATIVE ADJUDICATION DIVISION OF THE STATE OF RHODE ISLAND.

Notice of the final disposition of all traffic violation charges

relating to the operation of vehicles shall be transmitted to the Administrative Adjudication Division of the State of Rhode Island on a regular basis as may be required by the Administrative Adjudication Division."

SECTION 2. This Ordinance shall take effect upon its passage.

THE OFFICERS OF THE CITY COUNCIL
To certify the correctness of the proceedings
of the City Council

IN CITY COUNCIL
JAN 19 1984
FIRST READING
READ AND PASSED

Jose M Mendonca CLERK

IN CITY COUNCIL
FEB 2 1984

FINAL READING
READ AND PASSED

John L. Taylor
PRESIDENT
Jose M Mendonca
CLERK

APPROVED
FEB 10 1984
Vincenzo Cianci
MAYOR

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1984 JAN 9 10 10 AM

RECEIVED

CLERK

CLERK

RECEIVED AND RECORDED
GENERAL DIVISION

COMMITTEE

FINANCE

THE COMMITTEE ON

FINANCE

Approves Passage of
The Within Ordinance

James W. Henderson
Chairman
January 9, 1984