

RESOLUTION OF THE CITY COUNCIL

No. 296

Approved June 17, 1996

City Council
Resolution

RESOLVED, That the City Council endorses and urges passage by the General Assembly of Senate Bill 96-S 3039 and House Bill 96-H 8822 relating to Health and Safety, in substantially the form attached.

IN CITY COUNCIL

JUN 6 1996
READ AND PASSED

Ernest V. Fargnoli
ACTING PRES.
Michael R. Clement
CLERK

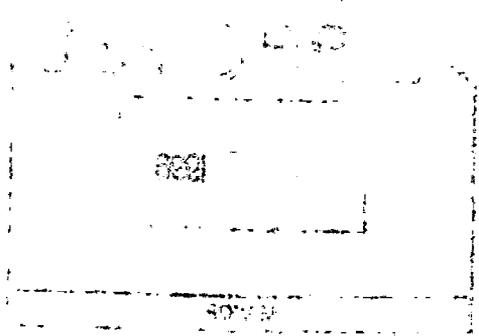
APPROVED
JUN 17 1996
Vincent DiCaro
MAYOR

THE COMMITTEE ON
Special Comm. on State Legislation
Recommendations

Approved
Clerk

Richard R. Clement

May 28, 1956



LC1653

STATE OF RHODE ISLAND
IN GENERAL ASSEMBLY

96-S 3039

JANUARY SESSION, A.D. 1996

A N A C T

RELATING TO HEALTH AND SAFETY

96-S 3039

Introduced By: Senators Goodwin, Graziano and Kelle

Date Introduced: February 8, 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 ~~rendering 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.~~

16 (b) mailed by ~~regular~~ certified mail ^{Return Receipt requested} to the owner, occupant, or
17 agent within this state. The nonreturn of such notice shall consti-

96-S 3039

1 tute a presumption of receipt. If two (2) notices of violation are
2 unanswered, then the municipal court judge has discretion to hold the
3 violator 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

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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.

LC1749

STATE OF RHODE ISLAND

96-H 8822

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 1996

A N A C T

RELATING TO HEALTH AND SAFETY

96-H 8822

Introduced By: Reps. Fox, Costantino,
Palangio, Carpenter, and Moura.
Date Introduced: February 29, 1996

Referred 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 8822

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 violator in default for any fine imposed.

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

LC1749

EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
AN ACT
RELATING TO HEALTH AND SAFETY

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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
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