

# City of Providence

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

## CHAPTER 1980-41

No. 637 **AN ORDINANCE** IN AMENDMENT OF ARTICLE III OF THE CODE OF ORDINANCES OF THE CITY OF PROVIDENCE, ENTITLED "GARBAGE, TRASH AND REFUSE" BY CERTAIN AMENDMENTS AND ADDITIONS TO SECTIONS 12-46, 12-57 AND 12-79, AS AMENDED.

*Approved* October 24, 1980

*Be it ordained by the City of Providence:*

SECTION 1. Article III of the Code of Ordinances of the City of Providence entitled "Garbage, Trash and Refuse" is hereby amended and added to as follows:

SECTION 12-46 "Definitions", shall be amended by adding a new definition to read as follows:

(d) Litter. Any discarded, used or unconsumed substance or waste. Litter may include, but is not limited to any garbage, trash, refuse, debris, rubbish, grass clippings or other lawn or garden waste, magazines, glass, metal, plastic or paper containers or other packaging construction material, motor vehicle parts, furniture, oil, carcass of a dead animal, any nauseous or offensive matter of any kind, any object likely to injure any person or create a traffic hazard or anything else of an unsightly nature, which has been discarded, abandoned or otherwise disposed of improperly.

SECTION 12-57 of the Code of Ordinances entitled "Placing rubbish, garbage, refuse on streets, public places prohibited unless in receptacles; exceptions" shall be replaced with the following new section:

(a) No person shall dump, deposit, drop, throw, discard, leave, cause or permit the dumping, depositing, dropping, throwing, discarding or leaving of litter upon any public or private property in this City, or upon or into any river, lake, pond or other stream or body of water in this City unless:

(1) The property has been designated by the City for the disposal of litter;

(2) The litter is placed in a receptacle or other container intended by the owner or tenant of that property for the deposit of litter.

(b) No person shall dump, deposit, drop, throw, discard or otherwise dispose of litter from any motor vehicle upon any public highway, upon any public or private property or upon or into any river, lake, pond, stream or body of water in this City except as permitted

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by law, nor shall any person transport by any means garbage or refuse from any dwelling, residence, place of business, farm or other site to and deposit such material in, around or on top of trash barrels or other receptacles placed along public streets on in public parks.

(c) The owner or person in control of any property which is held out to the public as a place for assemblage, the transaction of business, recreation or as a public way and including but not limited to restaurants, shopping centers, fastfood outlets, convenience stores, stores, hotels, motels, industrial establishments, office buildings, apartment buildings, housing projects, construction sites, loading and unloading docks, gas stations, and hospitals and clinics shall at all times keep the premises clean of all litter thrown or left on said premises and shall take measures including daily cleanup of the premises to prevent litter from drifting or blowing to adjoining premises.

~~(d) Receptacles of sufficient size and number shall be placed on all premises, public and private, for the disposition of litter.~~

(d) The owner or person in control of any property which is held out to public as a place for assemblage, the transaction of business, recreation or as a public way shall conspicuously identify receptacles for the disposal of litter.

(e) It shall be unlawful for any person going upon the premises of another to in any manner dispose of litter except in receptacles provided for such purposes.

SECTION 12-79 "Violations and Penalties" shall be amended to read as follows:

Any person found guilty of violating the provisions of this Article or the rules and regulations of the director of public works or the superintendent of health as the case may be, promulgated hereunder, shall be punishable as provided in section 1-10 of the Code of Ordinances.

In addition to any fine imposed under this chapter, a person convicted of such a violation may be ordered to remove and properly dispose of the litter and in the event such disposal is not accomplished within a reasonable period of time the director of public works may cause such removal and for such purpose may enter upon any real property necessary to cause the removal.

In the event that the director of public works is required to remove litter from any real property, the City shall obtain a special lien against said real property for the cost of said litter removal which lien shall be removed only upon reimbursement of the cost of litter removed by the owner of the property.

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

IN CITY COUNCIL  
OCT 2 1980  
FIRST READING  
READ AND PASSED

IN CITY  
COUNCIL  
OCT 16 1980

FINAL READING  
READ AND PASSED

APPROVED

MAYOR

*Wanda C. Cincif*

OCT 24 1980

*Rose M. Mendonca* CLERK

*Ralph J. Fargnoli* PRESIDENT  
*Rose M. Mendonca* CLERK

IN CITY COUNCIL

JUN 5 1980

FIRST READING

REFERRED TO COMMITTEE ON

URBAN REDEVELOPMENT  
RENEWAL & PLANNING

*Rose M. Mendoren*  
CLERK

THE COMMITTEE ON  
URBAN REDEVELOPMENT  
RENEWAL & PLANNING

Recommends

*Be Continued*  
*Richard R. Clement*  
Clerk

THE COMMITTEE ON  
URBAN REDEVELOPMENT  
RENEWAL & PLANNING

Approves Passage of  
The Within Ordinance

*Rose M. Mendoren*  
Chairman

*Clerk*

Sept. 25, 1980

*Councilman Paulino (By Request)*

City of Providence



Rhode Island

Department of City Clerk

**MEMORANDUM**

DATE: August 12, 1980

TO: John Rotondi, Deputy City Solicitor

SUBJECT: AN ORDINANCE, ENTITLED GARBAGE, TRASH AND REFUSE.

CONSIDERED BY: Committee on Urban Redevelopment, Renewal and Planning

DISPOSITION: Attached is a copy of an Ordinance for your study and report back to the said Committee.

*Michael R. Clement*

First Deputy

City Clerk