

RESOLUTION OF THE CITY COUNCIL

No. 35

Approved January 20, 1969

WHEREAS, the Model Cities Agency has prepared a comprehensive city demonstration program.

WHEREAS, the City Council of the City of Providence, Rhode Island finds that the program is necessary and desirable in order to improve the living conditions of people living in the Model Neighborhood.

WHEREAS, the said City Council desires that the comprehensive city demonstration program be submitted to the Secretary of Housing and Urban Development (herein called the "Secretary") for funding under Title I of the Demonstration Cities and Metropolitan Development Act of 1966.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL of the CITY of PROVIDENCE, RHODE ISLAND as follows:

1. The Mayor of Providence, Rhode Island or his successor is authorized to submit to the Secretary the Comprehensive City Demonstration Program and such supporting and collateral material as shall be necessary.

IN CITY COUNCIL

JAN 16 1969

READ and PASSED

Russell J. Boyle
President
Warrant
Clerk

APPROVED

JAN 20 1969

Russell J. Boyle
MAYOR

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RESOLUTION
OF THE
CITY COUNCIL

Commenced the Duty and American Relations, by request

THE CITY OF PROVIDENCE
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

RESOLUTION OF THE CITY COUNCIL

No. 36

Approved January 21, 1969

WHEREAS, John E. Fogarty, late Congressman from the Second Congressional District of Rhode Island, whose tenure, as such, was dedicated, to a great degree, to the betterment of the health and welfare of the Citizens of our Nation, and

WHEREAS, while the late benefactors' record of accomplishments, in advancing health and welfare programs in the Congress of the United States of America will forever be associated with his good name, the administration of the City Government of the City of Providence, Rhode Island, mindful of the benefits that accrued to its citizens, as a result of the late Congressmans' interest in their behalf, desire to perpetuate his memory in a manner which will be a constant reminder of his progressive deeds.

NOW THEREFORE BE IT RESOLVED, That the Chief Executive of the City of Providence, Rhode Island, His Honor Mayor Joseph A. Doorley, Jr., and the Members of the City Council do hereby designate the Public Welfare Administration Building located in the City as "John E. Fogarty Memorial Building", and

BE IT FURTHER RESOLVED, That an appropriate plaque be attached to said building as physical evidence of the appreciation of the citizens of this City to the name of John E. Fogarty.

IN CITY COUNCIL

JAN 16 1969

READ and PASSED

Russell J. Boyle
President
Conrad T. Casper
Clerk

APPROVED

JAN 21 1969

Joseph A. Doorley Jr.
MAYOR

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RESOLUTION
OF THE
CITY COUNCIL.

Council President Boyle, by request

THE CITY OF PROVIDENCE
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

RESOLUTION OF THE CITY COUNCIL

No. 37

Approved January 21, 1969

RESOLVED, That the City Solicitor be and he hereby is directed to urge passage by the 1969 Session of the General Assembly of "AN ACT RELATING TO THE MANAGEMENT AND SUPPORT OF THE PUBLIC SCHOOLS OF THE CITY OF PROVIDENCE AND RATIFYING CHAPTER 203 OF THE PUBLIC LAWS OF 1968," substantially in accordance with the accompanying draft act.

IN CITY COUNCIL

JAN 16 1969

READ and PASSED

Russell J. Boyle
President
Winnifred W. Brown
Clerk

APPROVED

JAN 21 1969

Joseph A. Rosley
MAYOR

RESOLUTION
OF THE
CITY COUNCIL

DIRECTING THE CITY SOLICITOR
TO URGE PASSAGE BY THE 1969
GENERAL ASSEMBLY OF "AN ACT
RELATING TO THE MANAGEMENT AND
SUPPORT OF THE PUBLIC SCHOOLS
OF THE CITY OF PROVIDENCE AND
RATIFYING CHAPTER 203 OF THE
PUBLIC LAWS OF 1968"

Submitted by Mr. Kelly and Councilman Brantino, by request

State of Rhode Island, &c.

IN GENERAL ASSEMBLY

JANUARY SESSION, A. D. 19 69

AN ACT

RELATING TO THE MANAGEMENT AND SUPPORT OF THE PUBLIC SCHOOLS OF THE CITY OF PROVIDENCE AND RATIFYING CHAPTER 203 OF THE PUBLIC LAWS OF 1968.

It is enacted by the General Assembly as follows:

SECTION 1. From and after the 20th day of August, A.D. 1968, the management and control of the public schools and school property of the City of Providence shall, subject to the provisions of Chapter 1681 of the Public Laws of 1918, be vested in a school committee of nine (9) members who shall be appointed by the Mayor as hereinafter provided.

Such school committee shall succeed to all of the rights, powers and duties of the school committee of the City of Providence except as is otherwise provided in this act.

From and after the appointment and qualification of such school committee, the term of office of all members of the school committee of the City of Providence constituted under the provisions of any law in force at the time of the passage of this Act shall cease and determine.

SECTION 2. Sections 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15 and 16 of Chapter 203 of the Public Laws of 1968 are hereby ratified, confirmed and re-enacted.

SECTION 3. This act shall take effect upon its passage and all acts and parts of acts inconsistent herewith are hereby repealed.

THE CITY OF PROVIDENCE
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

RESOLUTION OF THE CITY COUNCIL

No. 38

Approved January 21, 1969

RESOLVED, That the City Solicitor be and he hereby is directed to urge passage by the 1969 Session of the General Assembly of "AN ACT IN AMENDMENT OF SECTION 85 OF CHAPTER 832 OF THE PUBLIC LAWS OF 1940, AS AMENDED, ENTITLED 'AN ACT TO REVISE, CONSOLIDATE AND AMEND CHAPTER 598 OF THE PUBLIC LAWS OF 1866 ENTITLED 'AN ACT TO REVISE, CONSOLIDATE AND AMEND THE ACT ENTITLED 'AN ACT TO INCORPORATE THE CITY OF PROVIDENCE,' AND THE SEVERAL ACTS IN ADDITION THERETO AND IN AMENDMENT THEREOF,' AND THE SEVERAL ACTS IN ADDITION THERETO AND IN AMENDMENT THEREOF," substantially in accordance with the accompanying draft act.

IN CITY COUNCIL

JAN 16 1969

READ and PASSED

Murphy J. Boyle
President
Wm. C. ...
Clerk

APPROVED

JAN 21 1969

Joseph A. Rowley
MAYOR

RESOLUTION
OF THE
CITY COUNCIL
DIRECTING THE CITY SOLICITOR
TO URGE PASSAGE BY THE 1969
SESSION OF THE GENERAL ASSEMBLY
OF "AN ACT IN AMENDMENT OF
SECTION 85 OF CHAPTER 832 OF
THE PUBLIC LAWS OF 1940"

*Commissioner Mcnelly and
Commissioner Brooks, by request*

State of Rhode Island, &c.

IN GENERAL ASSEMBLY

JANUARY SESSION, A. D. 19 69

AN ACT

IN AMENDMENT OF SECTION 85 OF CHAPTER 832 OF THE PUBLIC LAWS OF 1940, AS AMENDED, ENTITLED "AN ACT TO REVISE, CONSOLIDATE AND AMEND CHAPTER 598 OF THE PUBLIC LAWS OF 1866 ENTITLED 'AN ACT TO REVISE, CONSOLIDATE AND AMEND THE ACT ENTITLED 'AN ACT TO INCORPORATE THE CITY OF PROVIDENCE,' AND THE SEVERAL ACTS IN ADDITION THERETO AND IN AMENDMENT THEREOF,' AND THE SEVERAL ACTS IN ADDITION THERETO AND IN AMENDMENT THEREOF."

It is enacted by the General Assembly as follows:

SECTION 1. Section 85 of Chapter 832 of the Public Laws of 1940, as amended, entitled "An Act to Revise, Consolidate and Amend Chapter 598 of the Public Laws of 1866 Entitled 'An Act to Revise, Consolidate and Amend the Act Entitled 'An Act to Incorporate the City of Providence,' and the Several Acts in Addition thereto and in Amendment thereof,' and the Several Acts in Addition thereto and in Amendment thereof," is hereby amended to read as follows:

"Board of Contract and Supply"

Sec. 85. Membership. There shall be a Board of Contract and Supply. On the first Monday of January, 1967, or as soon thereafter as may be, and quadrennially thereafter on the first day of January, or as soon thereafter as may be, the members of the Council who are adherents of a political party or parties other than that of the Mayor shall elect from their own number one member of said Board to serve for a term of four (4) years; and the other members of the Board shall be the following members of the City government who shall hold office thereon ex officio, namely the Mayor, the President of the Council, the Finance Director, the City Controller, the Chairman of the Committee on City Property, the Director of Public Works, the Commissioner of Public Safety, the City Treasurer, the Director of the Department of Public Property, the Chairman of the Water Supply Board, and the Chairman of the School Committee, or in the absence of any of the above named his Deputy shall serve in his place. The City Assessor shall likewise be, ex officio, a member of the said Board for such purposes as may be declared by ordinance.

Any vacancy that may occur in the office of said elective member shall be filled by the election by the members of the Council who are adherents of a political party or parties different from that of the Mayor of one of their number to fill such office for the remainder of the term. The Mayor shall be Chairman of said Board, and in his absence the President of the Council. The City Clerk, or in his absence one of his Deputies, shall act as Clerk of said Board. Failure to elect such elective member shall in no case prevent said Board from acting."

SECTION 2. This act shall take effect upon its passage and all acts and parts of acts inconsistent herewith are hereby repealed.

RESOLUTION OF THE CITY COUNCIL

No. 39

Approved January 21, 1969

RESOLVED, That the City Solicitor be and he hereby is directed to urge passage by the 1969 Session of the General Assembly of "AN ACT PROVIDING FOR THE CONSTRUCTION OF A SCHOOL FOR THE HANDICAPPED BY THE CITY OF PROVIDENCE AND AUTHORIZING THE CITY TO ISSUE TWO MILLION FIVE HUNDRED THOUSAND (\$2,500,000) DOLLARS BONDS THEREFOR," substantially in accordance with the accompanying draft act.

IN CITY COUNCIL

JAN 16 1969

READ and PASSED

Russell J. Bell
President
Ursula C. Leaper
Clerk

APPROVED

JAN 21 1969

Joseph A. Rowley
MAYOR

RESOLUTION
OF THE
CITY COUNCIL

DIRECTING THE CITY SOLICITOR
TO URGE PASSAGE BY THE 1969
GENERAL ASSEMBLY OF "AN ACT
PROVIDING FOR THE CONSTRUCTION
OF A SCHOOL FOR THE HANDICAPPED
BY THE CITY OF PROVIDENCE AND
AUTHORIZING THE CITY TO ISSUE
\$2,500,000 BONDS THEREFOR"

State of Rhode Island, &c.

IN GENERAL ASSEMBLY

JANUARY SESSION, A. D. 1969

AN ACT

PROVIDING FOR THE CONSTRUCTION OF A SCHOOL FOR THE HANDICAPPED BY THE CITY OF PROVIDENCE AND AUTHORIZING THE CITY TO ISSUE TWO MILLION FIVE HUNDRED THOUSAND (\$2,500,000) DOLLARS BONDS THEREFOR.

It is enacted by the General Assembly as follows:

SECTION 1. The City of Providence is hereby authorized, in addition to authority previously granted, to issue bonds to an amount not exceeding TWO MILLION FIVE HUNDRED THOUSAND (\$2,500,000) DOLLARS from time to time under its corporate name and seal or a facsimile of such seal. The principal of the bonds and interest thereon shall be payable in any coin or currency of the United States of America which at the time of payment is legal tender for public and private debts. The bonds of each issue shall mature in equal or diminishing annual installments of principal, the first installment to be not later than five (5) years and the last installment not later than thirty (30) years after the date of the bonds.

SECTION 2. The bonds shall be signed by the City Treasurer and by the manual or facsimile signature of the Mayor and shall be issued and sold at not less than par and accrued interest in such amounts as the City Council may determine. The manner of sale, denominations, maturities, interest rates and other terms, conditions and details of any bonds or notes issued under this act may be fixed by the ordinance or resolution of the City Council authorizing the issue or by separate resolution of the City Council or, to the extent provisions for these matters are not so made, they may be fixed by the officers authorized to sign the bonds or notes. The bonds of each issue shall bear interest at a rate or rates not exceeding six (6%) per cent per annum. Coupons shall bear the facsimile signature

of the City Treasurer. The proceeds derived from the sale of the bonds shall be delivered to the City Treasurer, and such proceeds exclusive of premiums and accrued interest shall be expended (a) for acquiring land and constructing, equipping and furnishing a public school building to be used as a special education facility for handicapped children or (b) in payment of the principal of or interest on temporary notes issued under Section 3 of this act or (c) in repayment of advances under Section 4 of this act. No purchaser of any bonds or notes under this act, however, shall be in any way responsible for the proper application of the proceeds derived from the sale thereof. The proceeds of bonds or notes issued under this act, any applicable Federal or State assistance and the other moneys referred to in Section 6 of this act shall be deemed appropriated for the purposes of this act without further action by the City Council than that required by this act.

SECTION 3. The City Council of the City of Providence may by resolution pursuant to Chapter 1017 of the Public Laws of 1902 authorize the issue from time to time of interest bearing or discounted notes in anticipation of the authorization or issue of bonds under Section 2 of this act, provided that the last proviso of Section 1 of Chapter 1017 of the Public Laws of 1902 shall not apply to notes being refunded by the issue of bonds. The City Council of the City of Providence may by resolution authorize the issue from time to time of interest bearing or discounted notes in anticipation of the receipt of Federal or State aid for the purposes of this act. The amount of original notes issued in anticipation of Federal or State aid may not exceed the amount of available Federal or State aid as estimated by the City Treasurer.

SECTION 4. Pending any authorization or issue of bonds hereunder or pending or in lieu of any authorization or issue of notes hereunder, the City Treasurer, with the approval of the City Council, may apply funds in the general treasury of the City to the purposes specified in Section 2 of this act, such advances to be repaid without interest from the proceeds of bonds or notes subsequently issued or from the proceeds of applicable Federal or State assistance or from other available funds.

SECTION 5. Any proceeds of bonds or notes issued hereunder or of any applicable Federal or State assistance, pending their expenditure,

may be deposited or invested by the City Treasurer in demand deposits, time deposits or savings deposits in banks which are members of the Federal Deposit Insurance Corporation or in obligations issued or guaranteed by the United States of America or by any agency or instrumentality thereof or by the State of Rhode Island or as may be provided in any other applicable law of the State of Rhode Island.

SECTION 6. Any accrued interest received upon the sale of bonds or notes hereunder shall be applied to the payment of the first interest due thereon. Any premiums arising from the sale of bonds or notes hereunder, any net earnings or profits realized from the deposit or investment of funds hereunder and any balance of bond or note proceeds remaining after completion of the project shall, in the discretion of the City Treasurer, be applied to the cost of preparing, issuing and marketing bonds or notes hereunder to the extent not otherwise provided, to the payment of the cost of the project or the cost of additional improvements coming within the description of the project in Section 2, to the payment of the principal of or interest on bonds or notes issued hereunder or to any one or more of the foregoing. The cost of preparing, issuing and marketing bonds or notes hereunder may also, in the discretion of the City Treasurer, be met from bond or note proceeds exclusive of premium and accrued interest or from other moneys available therefor. In exercising any discretion under this section, the City Treasurer shall be governed by any instructions adopted by the City Council.

SECTION 7. All bonds and notes issued under this act and the debts evidenced thereby shall be obligatory on the City of Providence in the same manner and to the same extent as other debts lawfully contracted by it and shall be excepted from the operation of Section 45-12-2 of the General Laws. No such obligation shall at any time be included in the debt of the City for the purpose of ascertaining its borrowing capacity. The City shall annually appropriate a sum sufficient to pay the principal and interest coming due within the year on bonds and notes issued hereunder to the extent that moneys therefor are not otherwise provided. In order to provide such sum in each year and notwithstanding any provision of law to the contrary, all taxable property in the City shall be subject to ad valorem taxation

by the City without limitation as to rate or amount, except that the rate of taxation on intangibles shall be limited as provided in Section 44-5-6 of the General Laws.

SECTION 8. Any bonds or notes issued under the provisions of this act and coupons on any bonds, if properly executed by officers of the City in office on the date of execution, shall be valid and binding according to their terms notwithstanding that before the delivery thereof and payment therefor any or all of such officers shall for any reason have ceased to hold office.

SECTION 9. The City of Providence, acting by resolution of its City Council, is authorized to apply for, contract for and expend any Federal or State advances or other grants or assistance which may be available for the purposes of this act, and any such expenditures may be in addition to other moneys provided in this act. To the extent of any inconsistency between any law of this State and any applicable Federal law or regulation, the latter shall prevail. Federal and State advances, with interest where applicable, whether contracted for prior to or after the effective date of this act, may be repaid as a cost of the project under Section 2 of this act.

SECTION 10. In all matters related to the purposes of this act, including without limitation and where applicable, the condemnation of any land or interest in land and the levy and collection of assessments or other charges on account of the project, all steps shall be taken which are necessary to meet constitutional requirements whether or not such steps are required by statute. The validity of bonds and notes issued hereunder shall in no way depend upon the validity or occurrence of any action required by the preceding sentence or of any other action not specifically required herein for the issue of such bonds or notes.

SECTION 11. The voters of the City of Providence having authorized the issue of bonds in the amount of TWO MILLION FIVE HUNDRED THOUSAND (\$2,500,000) DOLLARS for acquiring land and constructing, equipping and furnishing a public school building to be used as a special education facility for handicapped children at the general election held November 5, 1968, any further requirement for approval of the act by the voters, whether by charter or special law, is hereby

waived, and the bonds authorized by this act shall therefore be exempted from the provisions of Section 135 of Chapter 832 of the Public Laws of 1940 as amended by Chapter 1266 of the Public Laws of 1943, and from any other requirement for approval of the voters.

SECTION 12. This act shall take effect upon its passage and all acts and parts of acts inconsistent herewith are hereby repealed.

THE CITY OF PROVIDENCE
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

RESOLUTION OF THE CITY COUNCIL

No. 40

Approved January 21, 1969

RESOLVED, That the City Solicitor be and he hereby is directed to urge passage by the 1969 Session of the General Assembly of " AN ACT IN AMENDMENT OF AND IN ADDITION TO SECTION 1 OF CHAPTER 3338 OF THE PUBLIC LAWS OF 1954, ENTITLED 'AN ACT AUTHORIZING THE CITY OF PROVIDENCE TO ENACT BUILDING REGULATIONS AND PROVIDE FOR THEIR ADMINISTRATION' AS AMENDED BY CHAPTER 251 OF THE PUBLIC LAWS OF 1966," substantially in accordance with the accompanying draft act.

IN CITY COUNCIL

JAN 16 1969

READ and PASSED

Russell J. Boyle
President
William C. Caspary
Clerk

APPROVED

JAN 21 1969

Joseph A. Dowley
MAYOR

RESOLUTION
OF THE
CITY COUNCIL
DIRECTING THE CITY SOLICITOR
TO URGE PASSAGE BY THE 1969
SESSION OF THE GENERAL ASSEMBLY
OF "AN ACT IN AMENDMENT OF
AND IN ADDITION TO SECTION 1
OF CHAPTER 3338 OF THE PUBLIC
LAWS OF 1954."

Commenced by the Mayor and Councilmen Proctors, by request

State of Rhode Island, &c.

IN GENERAL ASSEMBLY

JANUARY SESSION, A. D. 1969

AN ACT

IN AMENDMENT OF AND IN ADDITION TO SECTION 1 OF CHAPTER 3338 OF THE PUBLIC LAWS OF 1954, ENTITLED "AN ACT AUTHORIZING THE CITY OF PROVIDENCE TO ENACT BUILDING REGULATIONS AND PROVIDE FOR THEIR ADMINISTRATION" AS AMENDED BY CHAPTER 251 OF THE PUBLIC LAWS OF 1966.

It is enacted by the General Assembly as follows:

SECTION 1. Section 1 of chapter 3338 of the public laws of 1954, entitled "An act authorizing the city of Providence to enact building regulations and provide for their administration" as amended by chapter 251 of the public laws of 1966 is hereby further amended to read as follows:

"SECTION 1.1***

"2. To regulate the erection of buildings, to prevent the erection of unsafe buildings and to order the removal of any buildings or portions thereof which are deemed to be unsafe by reason of damages caused by fire, or because of any structural hazard.

14. To order owners of buildings to make safe by necessary repairs any building or portion thereof which is deemed to be unsafe by reasons of inadequate maintenance, dilapidation, obsolescence or abandonment.

The phrase "to make safe by necessary repairs" shall include but not be limited to:

- A. Making the building or portion thereof secure so that the interior of the building will not be exposed to the elements or be accessible to entrance by trespassers;
- B. Providing for the restoration of buildings or portions thereof which are vacant and damaged, vandalized or deteriorated to such an extent as to be unfit or unsuitable for occupancy.

15. To order the removal or demolition of any buildings or portions thereof which are deemed to be unsafe by reason of inadequate maintenance, dilapidation, obsolescence or abandonment whenever the repair, alteration or improvement of said buildings cannot be made at a cost reasonably related to the value of the building; provided, however, that the owner of such building may, at his discretion, repair, alter or improve the building regardless of the cost within a time period specified by the order.

Any repair, alteration or improvement that is determined to cost more than fifty (50%) per cent of the assessed valuation of the building shall be deemed to be not reasonably related to the value of the building.

16. To repair, alter or improve or cause to be secured or both such buildings or portions thereof at the expense of the owner whenever the owner fails to comply with an order to repair, alter, improve or secure the building in accordance with the provisions of paragraph 14, provided that the cost of such repair, alteration or improvement is reasonably related to the value of the building.

17. To remove or demolish such building or portion thereof at the expense of the owner whenever the owner fails to comply with an order issued to remove or demolish in accordance with the provisions of paragraph 15 above.

18. To provide that whenever the owner fails to comply with any order as provided in paragraphs 2, 14 and 15, the cost incurred by the city of Providence pursuant to the above provisions, shall be assessed to said owner; and there shall be a lien against the real property for such costs and such lien shall be enforced in the same manner provided or authorized by law for the enforcement of common law liens on personal property. Such liens shall be recorded. If the building is removed or demolished, the city of Providence may sell the materials of such building and the net cost of the demolition or removal shall be charged to the owner, and if any balance remains it shall be returned to the owner.

19. To provide for the recording of any notices or liens in the same manner of "lis pendens."

20. To provide that the owner of any building which has been found unsafe in accordance with the provisions of paragraphs 2, 14 and 15 shall not sell, transfer, mortgage, lease or otherwise dispose thereof to another until its unsafe condition has been corrected, or until such owner has furnished the intended grantee, mortgagee or lessee a true copy of the order and has notified the city of Providence in writing of his intent to transfer, lease or mortgage or otherwise dispose of such building, or the land upon which such building is situated. A transferee, mortgagee or lessee who receives actual or constructive notice of such orders shall be bound by such order on the date of transfer, mortgage or lease without service of further notice.

21. Any orders issued pursuant to the provisions of this chapter shall be in writing and shall be mailed by certified mail to the last known address of such owner. The time period for compliance with any orders issued pursuant to this chapter shall be established by ordinance but shall be not less than thirty (30) days from receipt of the order; provided, however, that the time period for compliance with a removal order issued under the provisions of paragraph 2 shall be not less than twelve (12) hours from the discovery of the structural hazard or the time of the extinguishing of the fire.

Orders issued pursuant to the provisions of paragraphs 14 and 15 may be combined into one order and the owners of said buildings shall either comply with said order or commence administrative appeals within the time period set by the compliance order and not thereafter."

SECTION 2. This act shall take effect upon its passage and all acts and parts of acts inconsistent herewith are hereby repealed.

THE CITY OF PROVIDENCE
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

RESOLUTION OF THE CITY COUNCIL

No. 41

Approved January 21, 1969

RESOLVED, that the City Solicitor be and he hereby is directed to urge passage by the 1969 Session of the General Assembly of an amendment of Chapter 45-24.2, Section 11 of the General Laws entitled "Rent Payments".

IN CITY COUNCIL

JAN 16 1969

READ and PASSED

W. Russell President
Winnifred Clerk

APPROVED

JAN 21 1969

Joseph A. Rowley
MAYOR

RESOLUTION
OF THE
CITY COUNCIL.

State of Rhode Island, &c.

IN GENERAL ASSEMBLY

JANUARY SESSION, A. D. 19

AN ACT

IN AMENDMENT OF AND IN ADDITION TO CHAPTER 45-24.2 OF THE GENERAL LAWS ENTITLED " MINIMUM HOUSING STANDARDS " AS ENACTED BY CHAPTER 87 OF THE PUBLIC LAWS, 1962.

It is enacted by the General Assembly as follows:

Section 1. Chapter 45-24.2 of the general laws entitled "Minimum housing standards" as enacted by chapter 87 of the public laws, 1962 is hereby amended by adding thereto the following section:

45-24.2-11. Rent payments. Notwithstanding any lease or other agreement, if the enforcing officer of any city or town which has adopted the provisions of this chapter shall have ordered the repair, alteration or improvement of a dwelling in that he shall have disclosed the same to be a serious hazard or imminent peril to the health, safety or welfare of the occupants then the obligations of paying the rent therefor to the landlord shall be suspended and the same shall be paid into an escrow account established by the enforcing officer to be paid thereafter to the landlord or any other party authorized to make repairs (including the enforcing officer) to defray the costs of correcting the conditions and no action shall be maintained by the landlord against the tenant for such rent or for possession. Provided, however, that no escrow account shall be opened by the enforcing officer until he has evidence that the rent has been paid to the date that the account shall be opened where there is rent due to the landlord. Sums paid into said escrow fund in excess of those necessary to make repairs shall be paid to the landlord on completion. If the tenant shall fail to make payments to the enforcing officer then an action for rent or possession may be maintained, subject to such defenses as the tenant may have under the lease or agreement.

Section 2. For the purpose of completing the repairs made in accordance with this section, there is hereby appropriated out of any money in the treasury not otherwise appropriated the sum of One Hundred Thousand (\$100,000.00) Dollars and the State Controller is hereby authorized and directed to draw his orders upon the General Treasurer for the payment of said sum or so much thereof as may be from time to time required upon receipt by him of properly authenticated vouchers.

Section 3. This act shall take effect upon its passage.