

**CHAPTER 2020-8**

No. 72     **AN ORDINANCE IN AMENDMENT OF CHAPTER 12 OF THE CODE OF ORDINANCES OF THE CITY OF PROVIDENCE, ENTITLED: "HEALTH AND SANITATION," SECTION 12-63, "TIME TO PLACE WASTE FOR COLLECTION; DUTY TO REMOVE AFTER COLLECTION" AND SECTION 12-80 "PENALTIES FOR LITTERING VIOLATIONS"**

Approved February 27, 2020

*Be it ordained by the City of Providence:*

**Section 1:** Sec. 12-63. - Time to place waste for collection; duty to remove after collection.

- (a) The owner of any dwelling shall be deemed to have allowed an unsanitary condition and a nuisance to exist whenever garbage, trash or debris at that dwelling is placed out early for municipal collection. "Early" shall mean prior to 4 p.m. on the day preceding the date of garbage collection.
- (b) The owner of any dwelling shall be deemed to have allowed an unsanitary condition and a nuisance to exist whenever containers used for the deposit of garbage, trash or debris at that dwelling are not removed from the public way by midnight of the designated collection day for that particular area of the city.
- (c) Except for the placement of containers on the public way for trash collection, an owner of any dwelling shall be deemed to have allowed an unsanitary condition and nuisance to exist at that dwelling whenever containers for the storage of garbage, trash or debris are not screened or are otherwise viewable from the street. This provision shall not apply to nonresidential uses.
- (d) Upon the first violation of this article, the owner of the subject dwelling shall be issued a warning by public works director or his/her duly authorized agent notifying the owner of the violation. Penalties for violation of subsection (b) shall not be assessed at more than one thousand five hundred dollars (\$1,500.00) cumulatively per calendar year for each individual dwelling. For all violations that occur after a warning is issued to a particular owner for a specific property: The penalty shall not exceed twenty-five dollars (\$25.00) for the first violation, fifty dollars (\$50.00) for the second violation, and one hundred dollars (\$100.00) for all subsequent violations occurring within a calendar year. Occupants of non-owner-occupied dwellings shall be issued a notice that informs the dwelling's occupant of the violation.
- (e) Chronic violators. Whoever shall be found in violation of the provisions of this article on four or more occasions within the calendar year shall be deemed a chronic violator and shall be summoned to the City of Providence Municipal Court.

Sec. 12-80. - Penalties for littering violations.

- (a) Unless otherwise specified, the penalty for violation of any provision set forth herein shall be one dollar (\$1.00) to five thousand dollars (\$5,000.00), provided, however, that any individual electing to admit the violation charged and electing to appear before the clerk of the court or to mail notice of violation shall be penalized as follows:

Offense	Fine	Code section
Improper storage of residential trash	\$50.00	Sec. 12-61
Early storage of residential trash	50.00	Sec. 12-63
Late removal of residential containers	See 12-63(d & e)-	Sec. 12-63 (d)-(e)
Unscreened container(s)	50.00	Sec. 12-63
Trash hauling without license	200.00	Sec. 12-65
Violation of dumpster ordinance	150.00	Sec. 12-61.1
Litter less than one (1) cubic yard	250.00	Sec. 12-61
Litter greater than one (1) but less than two (2) cubic yards	500.00	Sec. 12-89.2
Litter between two (2) to (3) cubic yards	800.00	Sec. 12-89.2
Litter over three (3) cubic yards	1,000.00	Sec. 12-89.2
A person convicted of a second or subsequent violation of Sec. 12-89.2	5,000.00	Sec. 12-89.2
Littering	50.00	Sec. 12-57
Depositing garbage in container of another	50.00	Sec. 12-57(e)
Scavenging of certain white goods	150.00	Sec. 12-87.1
Violation of recycling ordinance	50.00	Sec. 12-61.2
Animal control	100.00	Secs. 12-89.3 or 12-89.4
Continuing public environmental nuisance	500.00	Sec. 12-85
Scavenging	50.00	Sec. 12-87
Commercial trash violation	250.00	Sec. 12-61.1

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

**Section 2:** This ordinance shall take effect upon passage.

IN CITY COUNCIL  
 FEB 06 2020  
 FIRST READING  
 READ AND PASSED

*Sam Sallah* CLERK

IN CITY COUNCIL

FEB 20 2020  
 FINAL READING  
 READ AND PASSED

*Salvador Mats* PRESIDENT  
*Sam Sallah* CLERK

I HEREBY APPROVE  
  
 Mayor  
 Date: 2/27/20