

2021 -- H 5637

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2021

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A N A C T

RELATING TO TOWNS AND CITIES -- GENERAL POWERS

Introduced By: Representatives Knight, and McEntee

Date Introduced: February 22, 2021

Referred To: House Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Sections 45-2-13, 45-2-25, 45-2-27, 45-2-29, 45-2-30, 45-2-32, 45-2-34, 45-
2 2-37, 45-2-38, 45-2-44, 45-2-45, 45-2-46, 45-2-47, 45-2-50, 45-2-51.1, 45-2-52, 45-2-55, 45-2-56,
3 45-2-58, 45-2-59, 45-2-61, 45-2-62 and 45-2-63 of the General Laws in Chapter 45-2 entitled
4 "General Powers" are hereby amended to read as follows:

5 **45-2-13. City of Pawtucket -- Municipal police court -- Municipal housing court.**

6 (a) The city council of the city of Pawtucket may establish a municipal police court and
7 confer upon the court original jurisdiction, notwithstanding any other provisions of the general
8 laws, to hear and determine causes involving the violation of any ordinance; provided, that any
9 defendant found guilty of any offense, excluding violations of the city's minimum housing
10 ordinances and zoning ordinances, may, within seven (7) days of conviction, file an appeal from
11 the conviction to the Providence superior court and be entitled in the latter court to a trial de novo.

12 (b) The city council of the city of Pawtucket may establish a municipal housing court and
13 confer upon the court original jurisdiction, notwithstanding any other provisions of the general
14 laws, to hear and determine causes involving the violation of the zoning ordinances of the city and
15 any violation of the provisions of chapter 24 of this title, entitled the Rhode Island zoning enabling
16 act of 1991, and any violation of the provisions of chapter 27.3 of title 23 entitled the Rhode Island
17 state building code, and any violation of the provisions of those regulations promulgated by the
18 state building code commission entitled SBC-1 Rhode Island state building code, SBC-2 Rhode
19 Island state one and two (2) family dwelling code, SBC-3 Rhode Island state plumbing code, SBC-

1 4 Rhode Island state mechanical code, SBC-5 Rhode Island state electrical code, SBC-6 state
2 property maintenance code, and SBC-8 Rhode Island state energy conservation code; and provided,
3 further, that any party aggrieved by a final judgment, decree or order of the Pawtucket housing
4 court may, within twenty (20) days after entry of this judgment, decree or order, petition to the
5 supreme court for the state of Rhode Island for a writ of certiorari to review any errors involved.
6 The petition for the writ of certiorari shall state the errors claimed. Upon the filing of a petition
7 with the clerk of the supreme court, the supreme court may, if it sees fit, issue a writ of certiorari
8 to the Pawtucket housing court to certify to the supreme court the record of the proceedings of the
9 case together with and transcript of the proceedings by the petitioner at his expense.

10 (c) With respect to violations of either municipal ordinances dealing with minimum
11 housing or zoning regulations, or chapter 24.3 et seq., of this title dealing with housing maintenance
12 and occupancy, or chapter 24 et seq., of this title dealing with enforcement of zoning regulations,
13 the city council may also confer upon the Pawtucket housing court, in furtherance of its jurisdiction,
14 the power to proceed according to equity:

- 15 (1) To restrain, prevent, enjoin, abate, or correct a violation;
- 16 (2) To order the repair, vacation, or demolition of any dwelling existing in violation;
- 17 (3) To otherwise compel compliance with all of the provisions of those ordinances and
18 statutes; or
- 19 (4) To order a dwelling into receivership and to order the removal of any cloud on the title
20 to the building or property which shall be binding upon all those claiming by, through, under, or
21 by virtue of any inferior liens or encumbrances pursuant to chapter 44 et seq., of title 34.

22 (d) The city council of the city of Pawtucket is authorized and empowered to appoint a
23 judge to serve as both the municipal police court judge and the municipal housing court judge. The
24 city council of the city is authorized and empowered to enact ordinances governing the personnel,
25 operation, and procedure to be followed in the court and to establish a schedule of fees and costs
26 and to otherwise provide for the operation and management of the court. The municipal courts
27 created by this section may impose a sentence not to exceed thirty (30) days in jail and impose a
28 fine not in excess of one thousand dollars (\$1,000), or both. The courts are empowered to administer
29 oaths, compel the attendance of witnesses, and punish persons for contempt, ~~and to execute search~~
30 ~~warrants to the extent the warrants could be executed by a judge of the district court.~~

31 **45-2-25. City of Woonsocket -- Municipal court.**

32 (a) The city council of the city of Woonsocket may establish a municipal court and confer
33 upon the court original jurisdiction, notwithstanding any other provisions of the general laws, to
34 hear and determine causes involving the violation of any ordinance, including minimum housing

1 ordinances, of the city and any violation of the provisions of chapter 24.3 of this title, entitled the
2 Rhode Island Housing Maintenance and Occupancy Code; provided, however, that any defendant
3 found guilty of any offense, excluding violations of the minimum housing ordinances or chapter
4 24.3, may, within seven (7) days of the conviction, file an appeal from the conviction to the superior
5 court and be entitled in the latter court to a trial de novo; and provided further, however, that any
6 defendant found guilty of any violation of a minimum housing ordinance, or of chapter 24.3, may,
7 within seven (7) days of the conviction, file an appeal from the conviction to the seventh division
8 of the district court and be entitled to a trial de novo in accordance with §§ 8-8-3(a)(4) and 8-8-3.2.

9 (b) With respect to violations of either municipal ordinances dealing with minimum
10 housing or chapter 24.3 et seq. of this title dealing with housing maintenance and occupancy, the
11 city council may also confer upon the municipal court, in furtherance of the court's jurisdiction, the
12 power to proceed according to equity:

13 (1) To restrain, prevent, enjoin, abate, or correct a violation;

14 (2) To order the repair, vacation, or demolition of any dwelling existing in violation; or

15 (3) To otherwise compel compliance with all of the provisions of the ordinances and
16 statutes.

17 (c) The city council of the city of Woonsocket is authorized and empowered to appoint a
18 judge of the municipal court. The city council of the city is authorized and empowered to enact
19 ordinances governing the personnel, operation, and procedure to be followed in the court and to
20 establish a schedule of fees and costs and to otherwise provide for the operation, and management
21 of the court. The municipal court may impose a sentence not to exceed thirty (30) days in jail and
22 impose a fine not in excess of five hundred dollars (\$500) or both. The court is empowered to
23 administer oaths, compel the attendance of witnesses, and punish persons for contempt, ~~and to~~
24 ~~execute search warrants to the extent search warrants could be executed by a judge of the district~~
25 ~~court.~~

26 (d) The municipal court also has original jurisdiction, notwithstanding any other provisions
27 of the general laws, to hear and determine violations of §§ 11-9-13 and 11-9-13.1 pertaining to the
28 sale or delivery of tobacco products to persons under the age of eighteen (18); provided, however,
29 that any defendant found guilty of any offense may, within seven (7) days of the conviction, file an
30 appeal from the conviction to the district court and be entitled in the latter court to a trial de novo
31 in accordance with § 8-8-3.

32 **45-2-27. City of Central Falls -- Municipal court.**

33 (a) The city council of the city of Central Falls may establish a municipal court and confer
34 upon that court original jurisdiction, notwithstanding any other provisions of the general laws, to

1 hear and determine causes involving the violation of any ordinance, including minimum housing
2 ordinances, of that city and any violation of the provisions of chapter 24.3 of this title, entitled the
3 Rhode Island Housing Maintenance and Occupancy Code, and there is conferred upon that court
4 concurrent jurisdiction with the traffic tribunal to hear and determine causes involving the violation
5 of § 31-20-17; provided, however, that any defendant found guilty of any offense, excluding
6 violations of the minimum housing ordinances or chapter 24.3 may, within seven (7) days of
7 conviction, file an appeal from the conviction to the superior court and be entitled in the latter court
8 to a trial de novo; and provided further, however, that any defendant found guilty of any violation
9 of a minimum housing ordinance or of chapter 24.3, may, within seven (7) days of conviction, file
10 an appeal from the conviction to the fifth division of the district court and be entitled to a trial de
11 novo in accordance with §§ 8-8-3(a)(4) and 8-8-3.2.

12 (b) With respect to violations of either municipal ordinances dealing with minimum
13 housing or chapter 24.3 et seq., of this title dealing with housing maintenance and occupancy, the
14 city council may also confer upon the municipal court, in furtherance of the court's jurisdiction, the
15 power to proceed according to equity:

16 (1) To restrain, prevent, enjoin, abate, or correct a violation;

17 (2) To order the repair, vacation, or demolition of any dwelling existing in violation; or

18 (3) To otherwise compel compliance with all of the provisions of those ordinances and
19 statutes.

20 (c) The city council of the city of Central Falls is authorized and empowered to appoint a
21 judge of the municipal court. The city council of the city is authorized and empowered to enact
22 ordinances governing the personnel, operation, and procedure to be followed in the court and to
23 establish a schedule of fees and costs and to otherwise provide for the operation and management
24 of the court. The municipal court may impose a sentence not to exceed thirty (30) days in jail and
25 impose a fine not in excess of five hundred dollars (\$500), or both. The court is empowered to
26 administer oaths, compel the attendance of witnesses, and punish persons for contempt, ~~and to~~
27 ~~execute search warrants to the extent the warrants could be executed by a judge of the district court.~~

28 **45-2-29. Town of Westerly -- Municipal court.**

29 (a) The town council of the town of Westerly may establish a municipal court and confer
30 upon that court original jurisdiction, notwithstanding any other provisions of the general laws, to
31 hear and determine causes involving the violation of any ordinance, including minimum housing
32 ordinances of the town and any violation of the provisions of chapter 24.3 of this title, entitled the
33 Rhode Island Housing Maintenance and Occupancy Code; provided, however, that any defendant
34 found guilty of any offense, excluding violations of the minimum housing ordinances or chapter

1 24.3 within the jurisdiction of the court, may within seven (7) days of the conviction, file an appeal
2 from the conviction to the superior court and be entitled in the latter court to a trial de novo; and
3 provided further, however, that any defendant found guilty of any violation of a minimum housing
4 ordinance or of chapter 24.3, may, within seven (7) days of conviction, file an appeal from the
5 conviction to the fourth division of the district court and be entitled to a trial de novo in accordance
6 with §§ 8-8-3(a)(4) and 8-8-3.2.

7 (b) With respect to violations of either municipal ordinances dealing with minimum
8 housing or chapter 24.3 et seq., of this title dealing with housing maintenance and occupancy, the
9 town council may also confer upon the municipal court, in furtherance of the court's jurisdiction,
10 the power to proceed according to equity:

- 11 (1) To restrain, prevent, enjoin, abate, or correct a violation;
- 12 (2) To order the repair, vacation, or demolition of any dwelling existing in violation; or
- 13 (3) To otherwise compel compliance with all of the provisions of those ordinances and
14 statutes.

15 (c) The town council of the town of Westerly is authorized and empowered to appoint a
16 judge of the municipal court. The judge shall serve for a term of two (2) years, with the first term
17 commencing January 1, 1989. The town council of the town is authorized and empowered to enact
18 ordinances governing the personnel, operation, and procedure to be followed in the court and to
19 establish a schedule of fees and costs, and to otherwise provide for the operation and management
20 of the court. The municipal court may impose a sentence not to exceed thirty (30) days in jail and
21 impose a fine not in excess of five hundred dollars (\$500), or both. The court is empowered to
22 administer oaths, compel the attendance of witnesses, and punish persons for contempt, ~~and to~~
23 ~~authorize and execute search warrants to the extent the warrants could be authorized and executed~~
24 ~~by a justice of the district court.~~

25 **45-2-30. Town of Narragansett -- Municipal court.**

26 (a) The town council of the town of Narragansett may establish a municipal court and
27 confer upon that court original jurisdiction, notwithstanding any other provisions of the general
28 laws, to hear and determine causes involving the violation of any ordinance, including minimum
29 housing ordinances of the town and any violation of the provisions of chapter 24.3 of this title,
30 entitled the Rhode Island Housing Maintenance and Occupancy Code; provided, however, that any
31 defendant found guilty of any offense, excluding violations of the minimum housing ordinances or
32 chapter 24.3 may, within seven (7) days of conviction, file an appeal from the conviction to the
33 superior court and be entitled in the latter court to a trial de novo; and provided further, however,
34 that any defendant found guilty of any violation of a minimum housing ordinance or of chapter

1 24.3, may, within seven (7) days of conviction, file an appeal from the conviction to the fourth
2 division of the district court and be entitled to a trial de novo in accordance with §§ 8-8-3(a)(4) and
3 8-8-3.2.

4 (b) With respect to violations of either municipal ordinances dealing with minimum
5 housing or chapter 24.3 et seq., of this title dealing with housing maintenance and occupancy, the
6 town council may also confer upon the municipal court, in furtherance of the court's jurisdiction,
7 the power to proceed according to equity:

8 (1) To restrain, prevent, enjoin, abate, or correct a violation;

9 (2) To order the repair, vacation, or demolition of any dwelling existing in violation; or

10 (3) To otherwise compel compliance with all of the provisions of those ordinances and
11 statutes.

12 (c) The town council of the town of Narragansett is authorized and empowered to appoint
13 a judge of the municipal court. The town council of the town is authorized and empowered to enact
14 ordinances governing the personnel, operation, and procedure to be followed in the court and to
15 establish a schedule of fees and costs and to otherwise provide for the operation and management
16 of the court. The municipal court may impose a sentence not to exceed thirty (30) days in jail and
17 impose a fine not in excess of five hundred dollars (\$500), or both. The court is empowered to
18 administer oaths, compel the attendance of witnesses, and punish persons for contempt ~~and to~~
19 ~~execute search warrants to the extent the warrants could be executed by a judge of the district court.~~

20 **45-2-32. Town of Charlestown -- Municipal court.**

21 (a) The town council of the town of Charlestown may establish a municipal court and
22 confer upon that court original jurisdiction, notwithstanding any other provisions of the general
23 laws, to hear and determine causes involving the violation of any ordinance, including minimum
24 housing ordinances of the town and any violation of the provisions of chapter 24.3 of this title,
25 entitled the Rhode Island Housing Maintenance and Occupancy Code; provided, however, that any
26 defendant found guilty of any offense, excluding violations of the minimum housing ordinances or
27 chapter 24.3 within the jurisdiction of the court, may within seven (7) days of the conviction, file
28 an appeal from the conviction to the superior court and be entitled in the latter court to a trial de
29 novo; and provided further, however, that any defendant found guilty of any violation of a
30 minimum housing ordinance or of the chapter 24.3 may, within seven (7) days of the conviction,
31 file an appeal from the conviction to the fourth division of the district court and be entitled to a trial
32 de novo in accordance with §§ 8-8-3(a) (4) and 8-8-3.2.

33 (b) With respect to violations of either municipal ordinances dealing with minimum
34 housing or chapter 24.3 et seq. of this title dealing with housing maintenance and occupancy, the

1 town council may also confer upon the municipal court, in furtherance of the court's jurisdiction,
2 the power to proceed according to equity:

- 3 (1) To restrain, prevent, enjoin, abate, or correct a violation;
- 4 (2) To order the repair, vacation, or demolition of any dwelling existing in violation; or
- 5 (3) To otherwise compel compliance with all of the provisions of the ordinances and
6 statutes.

7 (c) The municipal court shall have concurrent jurisdiction with the Rhode Island traffic
8 tribunal to hear and adjudicate those violations conferred upon the municipal court and enumerated
9 in section 8-18-3. Adjudication of summons by the municipal court shall be in conformance with
10 § 8-18-4. The municipal court shall hear and decide traffic matters in a manner consistent with the
11 procedures of the traffic tribunal, and be subject to review by the chief magistrate of the traffic
12 tribunal in accordance with § 8-18-11. Any person desiring to appeal an adverse decision of the
13 municipal court for violations enumerated in § 8-18-3, may seek review thereof pursuant to the
14 procedures set forth in § 31-41.1-8.

15 (d) The town council of the town of Charlestown is authorized and empowered to appoint
16 a judge of the municipal court. The town council of the town is authorized and empowered to enact
17 ordinances governing the personnel, operation, and procedure to be followed in the court and to
18 establish a schedule of fees and costs, and to otherwise provide for the operation and management
19 of the court. The municipal court may impose a sentence not to exceed thirty (30) days in jail and
20 impose a fine of not in excess of five hundred dollars (\$500), or both. The court is empowered to
21 administer oaths, compel the attendance of witnesses, and punish persons for contempt, ~~and to~~
22 ~~authorize and execute search warrants to the extent the warrants could be authorized and executed~~
23 ~~by a justice of the district court.~~

24 **45-2-34. Town of Tiverton -- Municipal court.**

25 (1) The town council of the town of Tiverton may establish a municipal court and confer
26 upon that court original jurisdiction, notwithstanding any other provisions of the general laws, to
27 hear and determine causes involving the violation of any ordinance, including minimum housing
28 ordinances of the town and any violation of the provisions of chapter 24.3 of this title, entitled the
29 Rhode Island Housing Maintenance and Occupancy Code; provided, however, that any defendant
30 found guilty of any offense, excluding violations of the minimum housing ordinances or chapter
31 24.3 may, within seven (7) days of conviction, file an appeal from the conviction to the superior
32 court and be entitled in the latter court to a trial de novo; and provided further, however, that any
33 defendant found guilty of any violation of a minimum housing ordinance or of chapter 24.3, may
34 within seven (7) days of conviction, file an appeal from the conviction to the second division of the

1 district court and be entitled to a trial de novo in accordance with §§ 8-8-3(a) (4) and 8-8-3.2.

2 (2) With respect to violations of either municipal ordinances dealing with minimum
3 housing or chapter 24.3 et seq., of this title dealing with housing maintenance and occupancy, the
4 town council may also confer upon the municipal court, in furtherance of the court's jurisdiction,
5 the power to proceed according to equity:

6 (i) To restrain, prevent, enjoin, abate, or correct a violation;

7 (ii) To order the repair, vacation, or demolition of any dwelling existing in violation; or

8 (iii) To otherwise compel compliance with all of the provisions of those ordinances and
9 statutes.

10 (3) The town council of the town of Tiverton is authorized and empowered to appoint a
11 judge of the municipal court. The town council of the town is authorized and empowered to enact
12 ordinances governing the personnel, operation, and procedure to be followed in the court and to
13 establish a schedule of fees and costs and to otherwise provide for the operation and management
14 of the court. The municipal court may impose a sentence not to exceed thirty (30) days in jail and
15 impose a fine not in excess of five hundred dollars (\$500), or both. The court is empowered to
16 administer oaths, compel the attendance of witnesses, and punish persons for contempt, ~~and to~~
17 ~~execute search warrants to the extent the warrants could be executed by a judge of the district court.~~

18 **45-2-37. Town of Middletown -- Municipal court.**

19 (a) The town council of the town of Middletown may establish a municipal court and confer
20 upon the court original jurisdiction, notwithstanding any other provisions of the general laws, to
21 hear and determine causes involving the violation of any ordinance, including minimum housing
22 ordinances of the town and any violation of the provisions of chapter 24.3 of this title, entitled the
23 Rhode Island Housing Maintenance and Occupancy Code; provided, however, that any defendant
24 found guilty of any offense, excluding violation of the minimum housing ordinances or chapter
25 24.3 within the jurisdiction of the court, may within seven (7) days of conviction, file an appeal
26 from the conviction to the superior court for Newport county and be entitled in the latter court to a
27 trial de novo; and provided further, however, that any defendant found guilty of any violation of a
28 minimum housing ordinance or of chapter 24.3, may, within seven (7) days of the conviction, file
29 an appeal from the conviction to the second division of the district court and be entitled to a trial
30 de novo in accordance with §§ 8-8-3(a)(4) and 8-8-3.2.

31 (b) With respect to violations of either municipal ordinances dealing with minimum
32 housing or chapter 24.3 of this title dealing with housing maintenance and occupancy, the town
33 council may also confer upon the municipal court, in furtherance of the court's jurisdiction, the
34 power to proceed according to equity:

- 1 (1) To restrain, prevent, enjoin, abate, or correct a violation;
- 2 (2) To order the repair, vacation, or demolition of any dwelling existing in violation; or
- 3 (3) To otherwise compel compliance with all of the provisions of the ordinances and
- 4 statutes.

5 (c) The town council of the town of Middletown is authorized and empowered to appoint

6 a judge of the municipal court. The town council of that town is authorized and empowered to enact

7 ordinances governing the personnel, operation, and procedure to be followed in the court and to

8 establish a schedule of fees and costs, and to otherwise provide for the operation and management

9 of the court. The municipal court may impose a sentence not to exceed thirty (30) days in jail and

10 impose a fine of not in excess of one thousand dollars (\$1,000), or both. The court is empowered

11 to administer oaths; compel the attendance of witnesses and punish persons for contempt; ~~and to~~

12 ~~execute search warrants to the extent the warrants could be executed by a judge of the district court.~~

13 **45-2-38. City of East Providence -- Municipal court.**

14 (a) The city council of the city of East Providence may establish a municipal court and

15 confer upon that court original jurisdiction, notwithstanding any other provisions of the general

16 laws, to hear and determine causes involving the violation of any ordinance, including minimum

17 housing ordinances of the city and any violation of the provisions of chapter 24.3 of this title

18 entitled, "The Rhode Island Housing Maintenance and Occupancy Code"; provided, however, that

19 any defendant found guilty of any offense, excluding violations of the minimum housing

20 ordinances or chapter 24.3 may, within seven (7) days of conviction, file an appeal from the

21 conviction to the superior court and be entitled in the latter court to a trial de novo; and provided

22 further, however, that any defendant found guilty of any violation of a minimum housing ordinance

23 or of chapter 24.3, may within seven (7) days of conviction, file an appeal from the conviction to

24 the sixth division of the district court and be entitled to a trial de novo in accordance with §§ 8-8-

25 3(a)(4) and 8-8-3.2.

26 (b) With respect to violations of either municipal ordinances dealing with minimum

27 housing or chapter 24.3 et seq., of this title dealing with housing maintenance and occupancy, the

28 city council may also confer upon the municipal court, in furtherance of the court's jurisdiction, the

29 power to proceed according to equity:

- 30 (1) To restrain, prevent, enjoin, abate, or correct a violation;
- 31 (2) To order the repair, vacation, or demolition of any dwelling, existing in violation; or
- 32 (3) To otherwise compel compliance with all of the provisions of those ordinances and
- 33 statutes.

34 (c) The city council of the city of East Providence is authorized and empowered to appoint

1 a judge and clerk of the municipal court. The city council of the city is authorized and empowered
2 to enact ordinances governing the personnel, operation, and procedure to be followed in the court
3 and to establish a schedule of fees and costs and to otherwise provide for the operation and
4 management of the court. The municipal court may impose a sentence not to exceed thirty (30)
5 days in jail and impose a fine not in excess of five hundred dollars (\$500), or both. The court is
6 empowered to administer oaths, compel the attendance of witnesses, and punish persons for
7 contempt, ~~and to execute search warrants to the extent the warrants could be executed by a judge~~
8 ~~of the district court.~~

9 **45-2-44. Town of Cumberland -- Municipal court.**

10 (a) The town council of the town of Cumberland may establish a municipal court and confer
11 upon that court original jurisdiction, notwithstanding any other provisions of the general laws, to
12 hear and determine causes involving the violation of any ordinance, including minimum housing
13 ordinances of the town and any violation of the provisions of chapter 24.3 of this title, entitled the
14 Rhode Island Housing Maintenance and Occupancy Code; provided, however, that any defendant
15 found guilty of any offense, excluding violations of the minimum housing ordinances or chapter
16 24.3 of this title may, within seven (7) days of conviction, file an appeal from the conviction to the
17 superior court and be entitled in the latter court to a trial de novo; and provided further, however,
18 that any defendant found guilty of any violation of a minimum housing ordinance or of chapter
19 24.3 of this title, may within seven (7) days of conviction, file an appeal from the conviction to the
20 sixth division of the district court and be entitled to a trial de novo in accordance with §§ 8-8-
21 3(a)(4) and 8-8-3.2.

22 (b) With respect to violations of either municipal ordinances dealing with minimum
23 housing or chapter 24.3 et seq., of this title dealing with housing maintenance and occupancy, the
24 town council may also confer upon the municipal court, in furtherance of the court's jurisdiction,
25 the power to proceed according to equity:

- 26 (1) To restrain, prevent, enjoin, abate, or correct a violation;
27 (2) To order the repair, vacation, or demolition of any dwelling, existing in violation; or
28 (3) To otherwise compel compliance with all of the provisions of those ordinances and
29 statutes.

30 (c) The town council of the town of Cumberland is authorized and empowered to appoint
31 a judge and clerk of the municipal court. The town council of the city is authorized and empowered
32 to enact ordinances governing the personnel, operation, and procedure to be followed in the court
33 and to establish a schedule of fees and costs and to otherwise provide for the operation and
34 management of the court. The municipal court may impose a sentence not to exceed thirty (30)

1 days in jail and impose a fine not in excess of five hundred dollars (\$500), or both. The court is
2 empowered to administer oaths, compel the attendance of witnesses, and punish persons for
3 contempt, ~~and to execute search warrants to the extent the warrants could be executed by a judge~~
4 ~~of the district court.~~

5 **45-2-45. Town of Bristol -- Municipal court.**

6 (a) The town council of the town of Bristol may establish a municipal court and confer
7 upon that court original jurisdiction, notwithstanding any other provisions of the general laws, to
8 hear and determine causes involving the violation of any ordinance, including minimum housing
9 ordinances of the town and any violation of the provisions of chapter 24.3 of this title, entitled the
10 Rhode Island Housing Maintenance and Occupancy Code; provided, however, that any defendant
11 found guilty of any offense, excluding violations of the minimum housing ordinances or chapter
12 24.3 of this title may, within seven (7) days of conviction, file an appeal from the conviction to the
13 superior court and be entitled in the latter court to a trial de novo; and provided further, however,
14 that any defendant found guilty of any violation of a minimum housing ordinance or of chapter
15 24.3 of this title, may within seven (7) days of conviction, file an appeal from the conviction to the
16 sixth division of the district court and be entitled to a trial de novo in accordance with §§ 8-8-
17 3(a)(4) and 8-8-3.2.

18 (b) With respect to violations of either municipal ordinances dealing with minimum
19 housing or chapter 24.3 et seq. of this title dealing with housing maintenance and occupancy, the
20 town council may also confer upon the municipal court, in furtherance of the court's jurisdiction,
21 the power to proceed according to equity:

22 (1) To restrain, prevent, enjoin, abate, or correct a violation;

23 (2) To order the repair, vacation, or demolition of any dwelling, existing in violation; or

24 (3) To otherwise compel compliance with all of the provisions of those ordinances and
25 statutes.

26 (c) The town council of the town of Bristol is authorized and empowered to appoint a judge
27 and clerk of the municipal court. The town council of the town is authorized and empowered to
28 enact ordinances governing the personnel, operation, and procedure to be followed in the court and
29 to establish a schedule of fees and costs and to otherwise provide for the operation and management
30 of the court. The municipal court may impose a sentence not to exceed thirty (30) days in jail and
31 impose a fine not in excess of five hundred dollars (\$500), or both. The court is empowered to
32 administer oaths, compel the attendance of witnesses, and punish persons for contempt, ~~and to~~
33 ~~execute search warrants to the extent the warrants could be executed by a judge of the district court.~~

34 **45-2-46. Towns of Burrillville and North Smithfield -- Municipal court.**

1 (a) The town councils of the towns of Burrillville and North Smithfield may establish a
2 regional municipal court and confer upon that court original jurisdiction, notwithstanding any other
3 provisions of the general laws, to hear and determine causes involving the violation of any
4 ordinance, including minimum housing ordinances of either town and any violation of the
5 provisions of chapter 24.3 of this title, entitled the Rhode Island Housing Maintenance and
6 Occupancy Code; provided, however, that any defendant found guilty of any offense, excluding
7 violations of the minimum housing ordinances or chapter 24.3 of this title may, within seven (7)
8 days of conviction, file an appeal from the conviction to the superior court and be entitled in the
9 latter court to a trial de novo; and provided further, however, that any defendant found guilty of
10 any violation of a minimum housing ordinance or of chapter 24.3 of this title, may within seven (7)
11 days of conviction, file an appeal from the conviction to the sixth division of the district court and
12 be entitled to a trial de novo in accordance with §§ 8-8-3(a)(4) and 8-8-3.2.

13 (b) With respect to violations of either municipal ordinances dealing with minimum
14 housing or chapter 24.3 et seq. of this title dealing with housing maintenance and occupancy, the
15 town councils may also confer upon the municipal court, in furtherance of the court's jurisdiction,
16 the power to proceed according to equity:

17 (1) To restrain, prevent, enjoin, abate, or correct a violation;

18 (2) To order the repair, vacation, or demolition of any dwelling, existing in violation; or

19 (3) To otherwise compel compliance with all of the provisions of those ordinances and
20 statutes.

21 (c) The town councils of the towns of Burrillville and North Smithfield are authorized and
22 empowered to appoint a judge and clerk of the municipal court. The town councils are authorized
23 and empowered to enact ordinances governing the personnel, operation, and procedure to be
24 followed in the court and to establish a schedule of fees and costs and to otherwise provide for the
25 operation and management of the court. The municipal court may impose a fine not in excess of
26 five hundred dollars (\$500). The court is empowered to administer oaths, compel the attendance of
27 witnesses, and punish persons for contempt, ~~and to execute search warrants to the extent the~~
28 ~~warrants could be executed by a judge of the district court.~~

29 **45-2-47. Town of Warren -- Municipal court -- Municipal housing court.**

30 (a) The town council of the town of Warren may establish a municipal court and confer
31 upon that court original jurisdiction, notwithstanding any other provisions of the general laws, to
32 hear and determine causes involving the violation of any ordinance; provided, however, that any
33 defendant found guilty of any offense, excluding violations outlined in subsection (b) of this
34 section, may, within seven (7) days of conviction, file an appeal from the conviction to the superior

1 court and be entitled in the latter court to a trial de novo.

2 (b) The town council of the town of Warren may establish a municipal housing court and
3 confer upon the court original jurisdiction, notwithstanding any other provisions of the general
4 laws, to hear and determine causes involving the violation of the zoning ordinances of the town and
5 any violation of the provisions of chapter 24 of this title (the Rhode Island zoning enabling act of
6 1991); any violation of chapter 24.1 of this title (the Historical Zoning Act); any violation of chapter
7 24.2 of this title (Minimum Housing Standards Act); any violation of chapter 24.3 of this title
8 (Housing Maintenance and Occupancy Code); any violation of chapter 23 of this title (Subdivision
9 and Land Development Act); any violation of any local Warren ordinance or regulation enacted
10 pursuant to these chapters; and any violation of the provisions of chapter 27.3 of title 23 (the Rhode
11 Island state building code); and any violation of the provisions of those regulations promulgated
12 by the state building code commission entitled SBC-1 Rhode Island state building code; SBC-2
13 Rhode Island state one- and two-family (2) dwelling code; SBC-3 Rhode Island state plumbing
14 code; SBC-4 Rhode Island state mechanical code; SBC-5 Rhode Island state electrical code; SBC-
15 6 state property maintenance code; SBC-8 Rhode Island state energy conservation code; and SBC-
16 20 Rhode Island state fuel and gas code; and provided, further, that any party aggrieved by a final
17 judgment, decree, or order of the Warren housing court may, within twenty (20) days after entry of
18 this judgment, decree, or order, file an appeal to the superior court and be entitled in the latter court
19 to a trial de novo.

20 (c) With respect to violations falling under the jurisdiction of the Warren housing court, as
21 outlined in subsection (b) of this section, the town council may also confer upon the housing court,
22 in furtherance of the court's jurisdiction, the power to proceed according to equity:

- 23 (1) To restrain, prevent, enjoin, abate, or correct a violation;
24 (2) To order the repair, vacation, or demolition of any dwelling existing in violation;
25 (3) To otherwise compel compliance with all of the provisions of those ordinances,
26 regulations, and statutes; and
27 (4) To order a dwelling into receivership and to order the removal of any cloud on the title
28 to the building or property that shall be binding upon all those claiming by, through, under, or by
29 virtue of any inferior liens or encumbrances pursuant to chapter 44 of title 34.

30 (d) The town council of the town of Warren is authorized and empowered to appoint a
31 judge and clerk of the municipal court. The town council of the town of Warren is also authorized
32 to appoint a judge and clerk of the housing court, who may be, but is not required to be, the same
33 person(s) holding the judgeship over the municipal court. The town council is authorized and
34 empowered to enact ordinances governing the personnel, operation, and procedure to be followed

1 in the court and to establish a schedule of fees and costs and to otherwise provide for the operation
2 and management of the court. The municipal court may impose a sentence not to exceed thirty (30)
3 days in jail and impose a fine not in excess of five hundred dollars (\$500), or both. The court is
4 empowered to administer oaths; compel the attendance of witnesses; punish persons for contempt;
5 ~~and to execute search warrants to the extent the warrants could be executed by a judge of the district~~
6 ~~court.~~

7 **45-2-50. Town of Exeter -- Municipal court.**

8 (a) The town council of the town of Exeter may establish a municipal court and confer
9 upon that court original jurisdiction, notwithstanding any other provisions of the general laws, to
10 hear and determine causes involving the violation of any ordinance, including, but not limited to,
11 municipal code violations, animal regulation violations, traffic and parking violations, minimum
12 housing ordinances of the town and any violation of the provisions of chapter 24.3 of this title,
13 entitled the "Rhode Island Housing Maintenance and Occupancy Code"; provided, however, that
14 any defendant found guilty of any offense, excluding violations of the minimum housing
15 ordinances or chapter 24.3 of this title within the jurisdiction of the court, may within seven (7)
16 days of the conviction, file an appeal from the conviction to the superior court and be entitled in
17 the latter court to a trial de novo; and provided further, however, that any defendant found guilty
18 of any violation of a minimum housing ordinance or of chapter 24.3 of this title, may within seven
19 (7) days of conviction, file an appeal from the conviction to the fourth division of the district court
20 and be entitled to a trial de novo in accordance with §§ 8-8-3(a)(4) and 8-8-3.2.

21 (b) With respect to violations of either municipal ordinances dealing with minimum
22 housing or chapter 24.3 et seq., of this title dealing with housing maintenance and occupancy, the
23 town council may also confer upon the municipal court, in furtherance of the court's jurisdiction,
24 the power to proceed according to equity:

25 (1) To restrain, prevent, enjoin, abate, or correct a violation;

26 (2) To order the repair, vacation, or demolition of any dwelling existing in violation; or

27 (3) To otherwise compel compliance with all of the provisions of those ordinances and
28 statutes.

29 (c) The town council of the town of Exeter is authorized and empowered to appoint a judge
30 of the municipal court. The judge shall serve for a term of two (2) years, or concurrent with the
31 term of each appointing council. The town council of the town is authorized and empowered to
32 enact ordinances governing the personnel, operation, and procedure to be followed in the court and
33 to establish a schedule of fees and costs, and to otherwise provide for the operation and management
34 of the court. The municipal court may impose sentences not to exceed thirty (30) days in jail and

1 impose fines not in excess of five hundred dollars (\$500), or both. The court is empowered to
2 administer oaths, compel the attendance of witnesses, and punish persons for contempt, ~~and to~~
3 ~~authorize and execute search warrants to the extent the warrants could be authorized and executed~~
4 ~~by a justice of the district court.~~

5 **45-2-51.1. Town of Lincoln -- Municipal court -- Municipal housing court.**

6 (a) The town council of the town of Lincoln may establish a municipal court and confer
7 upon the court original jurisdiction, notwithstanding any other provisions of the general laws, to
8 hear and determine causes involving the violations of the town of Lincoln charter, or code of
9 ordinances; provided, however, that any defendant found guilty of any offense, excluding violation
10 of the minimum housing ordinances or chapter 24.3 of this title, may within seven (7) days of
11 conviction, file an appeal from the conviction to the superior court for Providence county and be
12 entitled in the latter court to a trial de novo.

13 (b) The town council of the town of Lincoln may establish a municipal housing court and
14 confer upon the court original jurisdiction, notwithstanding any other provisions of the general
15 laws, to hear and determine causes involving the violation of the zoning ordinances of the town and
16 any violation of the provisions of chapter 24 of this title (the Rhode Island zoning enabling act of
17 1991); any violation of chapter 24.1 of this title (the historical zoning act); any violation of chapter
18 24.2 of this title (minimum housing standards act); any violation of chapter 24.3 of this title
19 (housing maintenance and occupancy code); any violation of chapter 23 of this title (subdivision
20 and land development act); any violation of any local Lincoln ordinance or regulation enacted
21 pursuant to these chapters; and any violation of the provisions of chapter 27.3 of title 23 (the Rhode
22 Island state building code); and any violation of the provisions of those regulations promulgated
23 by the state building code commission entitled SBC-1 Rhode Island state building code; SBC-2
24 Rhode Island state one- and two-family (2) dwelling code; SBC-3 Rhode Island state plumbing
25 code; SBC-4 Rhode Island state mechanical code; SBC-5 Rhode Island state electrical code; SBC-
26 6 state property maintenance code; SBC-8 Rhode Island state energy conservation code; and SBC-
27 20 Rhode Island state fuel and gas code; and provided, further, that any party aggrieved by a final
28 judgment, decree, or order of the Lincoln housing court may, within twenty (20) days after entry
29 of this judgment, decree, or order, file an appeal to the superior court and be entitled in the latter
30 court to a trial de novo.

31 (c) With respect to violations falling under the jurisdiction of the Lincoln housing court, as
32 outlined in subsection (b) of this section, the town council may also confer upon the housing court,
33 in furtherance of the court's jurisdiction, the power to proceed according to equity:

- 34 (1) To restrain, prevent, enjoin, abate, or correct a violation;

1 (2) To order the repair, vacation, or demolition of any dwelling existing in violation;

2 (3) To otherwise compel compliance with all of the provisions of those ordinances,
3 regulations, and statutes; and

4 (4) To order a dwelling into receivership and to order the removal of any cloud on the title
5 to the building or property that shall be binding upon all those claiming by, through, under, or by
6 virtue of any inferior liens or encumbrances pursuant to chapter 44 of title 34.

7 (d) The municipal court shall have concurrent jurisdiction with the Rhode Island traffic
8 tribunal to hear and adjudicate those violations conferred upon the municipal court and enumerated
9 in § 8-18-3. Adjudication of summons by the municipal court shall be in conformance with § 8-18-
10 4. The municipal court shall hear and decide traffic matters in a manner consistent with the
11 procedures of the traffic tribunal, and subject to review by the chief magistrate of the traffic tribunal
12 in accordance with § 8-18-11. Any person desiring to appeal from an adverse decision of the
13 municipal court for violations enumerated in § 8-18-3, may seek review thereof pursuant to the
14 procedures set forth in § 31-41.1-8.

15 (e) The town council of the town of Lincoln is authorized and empowered to appoint a
16 judge and clerk of the municipal court. The town council of the town of Lincoln is also authorized
17 to appoint a judge and clerk of the housing court, who may be, but is not required to be, the same
18 person(s) holding the judgeship and clerk position in the municipal court. The town council of the
19 town of Lincoln is authorized and empowered to enact ordinances governing the personnel,
20 operation, and procedure to be followed in the court and to establish a schedule of fees and costs,
21 and to otherwise provide for the operation and management of these courts. The municipal and
22 housing courts may impose a sentence not to exceed thirty (30) days in jail and impose a fine not
23 in excess of five hundred dollars (\$500), or both. The courts are empowered to administer oaths,
24 compel the attendance of witnesses and punish persons for contempt ~~and to execute search warrants~~
25 ~~to the extent the warrants could be executed by a judge of the district court.~~

26 **45-2-52. Town of Jamestown -- Municipal Court.**

27 (a) The town council of the town of Jamestown may establish a municipal court and confer
28 upon that court original jurisdiction, notwithstanding any other provisions of the general laws, to
29 hear and determine causes involving the violation of any ordinance, including, but not limited to,
30 municipal code violations, animal regulation violations, minimum housing ordinances of the town
31 and any violation of the provisions of chapter 24.3 of this title, entitled the Rhode Island Housing
32 Maintenance and Occupancy Code; and, if but only if, jurisdiction is specifically conferred by a
33 vote of the town council, traffic and parking violations; provided, however, that any defendant
34 found guilty of any offense, excluding violations of the minimum housing ordinances or chapter

1 24.3 within the jurisdiction of the court, may within seven (7) days of the conviction, file an appeal
2 from the conviction to the superior court and be entitled in the latter court to a trial de novo; and
3 provided further, however, that any defendant found guilty of any violation of a minimum housing
4 ordinance or of chapter 24.3, may within seven (7) days of conviction, file an appeal from the
5 conviction to the second division of the district court and be entitled to a trial de novo in accordance
6 with §§ 8-8-3(a)(4) and 8-8-3.2.

7 (b) With respect to violations of either municipal ordinances dealing with minimum
8 housing or chapter 24.3 et seq., of this title dealing with housing maintenance and occupancy, the
9 town council may also confer upon the municipal court, in furtherance of the court's jurisdiction,
10 the power to proceed according to equity:

- 11 (1) To restrain, prevent, enjoin, abate, or correct a violation;
- 12 (2) To order the repair, vacation, or demolition of any dwelling existing in violation; or
- 13 (3) To otherwise compel compliance with all of the provisions of those ordinances and
14 statutes.

15 (c) The town council of the town of Jamestown is authorized and empowered to appoint a
16 judge of the municipal court. The judge shall serve for a term of two (2) years, or concurrent with
17 the term of each appointing council. The town council of the town is authorized and empowered to
18 enact ordinances governing the personnel, operation, and procedure to be followed in the court and
19 to establish a schedule of fees and costs, and to otherwise provide for the operation and management
20 of the court. The municipal court may impose sentences not to exceed thirty (30) days in jail and
21 impose fines not in excess of five hundred dollars (\$500), or both. The court is empowered to
22 administer oaths, compel the attendance of witnesses, and punish persons for contempt, ~~and to~~
23 ~~authorize and execute search warrants to the extent the warrants could be authorized and executed~~
24 ~~by a justice of the district court.~~

25 **45-2-55. Town of North Kingstown -- Municipal Court.**

26 (a) The town council of the town of North Kingstown may establish a municipal court and
27 confer upon that court original jurisdiction, notwithstanding any other provisions of the general
28 laws, to hear and determine causes involving the violation of any ordinance, including, but not
29 limited to, municipal code violations, animal regulation violations, minimum housing ordinances
30 of the town, any violation of the provisions of chapter 24.3 of this title, entitled the "Rhode Island
31 Housing Maintenance and Occupancy Code" and, if, but only if, jurisdiction is specifically
32 conferred by a vote of the town council, traffic and parking violations; provided, however, that any
33 defendant found guilty of any offense, excluding violations of the minimum housing ordinances or
34 chapter 24.3 within the jurisdiction of the court, may within seven (7) days of the conviction, file

1 an appeal from the conviction to the superior court and be entitled in the latter court to a trial de
2 novo; and provided, further, however, that any defendant found guilty of any violation of a
3 minimum housing ordinance or of chapter 24.3 of this title may, within seven (7) days of
4 conviction, file an appeal from the conviction to the second division of the district court and be
5 entitled to a trial de novo in accordance with subdivision 8-8-3(a)(4) and § 8-8-3.2.

6 (b) With respect to violations of either municipal ordinances dealing with minimum
7 housing or chapter 24.3 et seq., of this title dealing with housing maintenance and occupancy, the
8 town council may also confer upon the municipal court, in furtherance of the court's jurisdiction,
9 the power to proceed according to equity:

10 (1) To restrain, prevent, enjoin, abate, or correct a violation;

11 (2) To order the repair, vacation, or demolition of any dwelling existing in violation; or

12 (3) To otherwise compel compliance with all of the provisions of those ordinances and
13 statutes.

14 (c) The town council of the town of North Kingstown is authorized and empowered to
15 appoint a judge of the municipal court. The judge shall serve for a term of two (2) years, or
16 concurrent with the term of each appointing council. The town council of the town is authorized
17 and empowered to enact ordinances governing the personnel, operation, and procedure to be
18 followed in the court and to establish a schedule of fees and costs, and to otherwise provide for the
19 operation and management of the court. The municipal court may impose sentences not to exceed
20 thirty (30) days in jail and impose fines not in excess of five hundred dollars (\$500), or both. The
21 court is empowered to administer oaths, compel the attendance of witnesses, and punish persons
22 for contempt, ~~and to authorize and execute search warrants to the extent the warrants could be~~
23 ~~authorized and executed by a justice of the district court.~~

24 **45-2-56. Town of Hopkinton -- Municipal Court.**

25 (a) The town council of the town of Hopkinton may establish a municipal court and confer
26 upon that court original jurisdiction, notwithstanding any other provisions of the general laws, to
27 hear and determine causes involving the violation of any ordinance, including, but not limited to,
28 municipal code violations, animal regulation violations, minimum housing ordinances of the town
29 and any violation of the provisions of chapter 24.3 of this title, entitled the Rhode Island Housing
30 Maintenance and Occupancy Code; and, if but only if, jurisdiction is specifically conferred by a
31 vote of the town council, traffic and parking violations; provided, however, that any defendant
32 found guilty of any offense, excluding violations of the minimum housing ordinances or chapter
33 24.3 within the jurisdiction of the court, may within seven (7) days of the conviction, file an appeal
34 from the conviction to the superior court and be entitled in the latter court to a trial de novo; and

1 provided further, however, that any defendant found guilty of any violation of a minimum housing
2 ordinance or of chapter 24.3, may within seven (7) days of conviction, file an appeal from the
3 conviction to the fourth division of the district court and be entitled to a trial de novo in accordance
4 with subdivision 8-8-3(a)(4) and § 8-8-3.2.

5 (b) With respect to violations of either municipal ordinances dealing with minimum
6 housing or chapter 24.3 et seq., of this title dealing with housing maintenance and occupancy, the
7 town council may also confer upon the municipal court, in furtherance of the court's jurisdiction,
8 the power to proceed according to equity:

9 (1) To restrain, prevent, enjoin, abate, or correct a violation;

10 (2) To order the repair, vacation, or demolition of any dwelling existing in violation; or

11 (3) To otherwise compel compliance with all of the provisions of those ordinances and
12 statutes.

13 (c) The town council of the town of Hopkinton is authorized and empowered to appoint a
14 judge of the municipal court. The judge shall serve for a term of two (2) years, or concurrent with
15 the term of each appointing council. The town council of the town is authorized and empowered to
16 enact ordinances governing the personnel, operation, and procedure to be followed in the court and
17 to establish a schedule of fees and costs, and to otherwise provide for the operation and management
18 of the court. The municipal court may impose sentences not to exceed thirty (30) days in jail and
19 impose fines not in excess of five hundred dollars (\$500), or both. The court is empowered to
20 administer oaths, compel the attendance of witnesses, and punish persons for contempt, ~~and to~~
21 ~~authorize and execute search warrants to the extent the warrants could be authorized and executed~~
22 ~~by a justice of the district court.~~

23 **45-2-58. Town of Smithfield -- Municipal court.**

24 (a) The town council of the town of Smithfield may establish a municipal court and confer
25 upon the court original jurisdiction, notwithstanding any other provisions of the general laws, to
26 hear and determine causes involving the violations of the town of Smithfield Charter, Code of
27 Ordinances, including minimum housing ordinances of the town and any violation of the provisions
28 of chapter 24.3 of this title, entitled the "Rhode Island Housing Maintenance and Occupancy Code";
29 provided, however, that any defendant found guilty of any offense, excluding violation of the
30 minimum housing ordinances or chapter 24.3 of this title, may within seven (7) days of conviction,
31 file an appeal from the conviction to the superior court for Providence County and be entitled in
32 the latter court to a trial de novo; and provided further, however, that any defendant found guilty
33 of any violation of a minimum housing ordinance or of chapter 24.3 may, within seven (7) days of
34 the conviction, file an appeal from the conviction to the sixth division of the district court and be

1 entitled to a trial de novo in accordance with subsections 8-8-3(a)(4) and 8-8-3.2.

2 (b) With respect to violations of either municipal ordinances dealing with minimum
3 housing or chapter 24.3, et seq. of this title dealing with housing maintenance and occupancy, the
4 town council may also confer upon the municipal court, in furtherance of the court's jurisdiction,
5 the power to proceed according to equity:

6 (1) To restrain, prevent, enjoin, abate or correct a violation;

7 (2) To order the repair, vacation or demolition of any dwelling existing in violation;

8 (3) To otherwise compel compliance with all of the provisions of the ordinances and
9 statutes.

10 (c) The municipal court shall have concurrent jurisdiction with the Rhode Island Traffic
11 Tribunal to hear and adjudicate those violations conferred upon the municipal court and enumerated
12 in § 8-18-3. Adjudication of summons by the municipal court shall be in conformance with § 8-18-
13 4. The municipal court shall hear and decide traffic matters in a manner consistent with the
14 procedures of the traffic tribunal, and be subject to review by the chief judge of the district court in
15 accordance with § 8-18-11. Any person desiring to appeal an adverse decision of the municipal
16 court for violations enumerated in § 8-18-3, may seek review thereof pursuant to the procedures
17 set forth in § 31-41.1-8.

18 (d) The town council of the town of Smithfield is authorized and empowered to appoint a
19 judge and clerk of the municipal court. The town council of the town of Smithfield is authorized
20 and empowered to enact ordinances governing the personnel, operation and procedure to be
21 followed in the court and to establish a schedule of fees and costs, and to otherwise provide for the
22 operation and management of the court. The municipal court may impose a sentence not to exceed
23 thirty (30) days in jail and impose a fine not in excess of five hundred dollars (\$500), or both. The
24 court is empowered to administer oaths, compel the attendance of witnesses and punish persons for
25 contempt ~~and to execute search warrants to the extent the warrants could be executed by a judge of~~
26 ~~the district court.~~

27 **45-2-59. Town of North Smithfield -- Municipal court.**

28 (a) The town council of the town of North Smithfield may establish a municipal court and
29 confer upon the court original jurisdiction, notwithstanding any other provisions of the general
30 laws, to hear and determine causes involving the violations of the town of North Smithfield Charter,
31 Code of Ordinances, including minimum housing ordinances of the town and any violation of the
32 provisions of chapter 24.3 of this title, entitled the "Rhode Island Housing Maintenance and
33 Occupancy Code"; provided, however, that any defendant found guilty of any offense, excluding
34 violation of the minimum housing ordinances or chapter 24.3 of this title, may within seven (7)

1 days of conviction, file an appeal from the conviction to the superior court for Providence County
2 and be entitled in the latter court to a trial de novo; and provided further, however, that any
3 defendant found guilty of any violation of a minimum housing ordinance or of chapter 24.3 of this
4 title may, within seven (7) days of the conviction, file an appeal from the conviction to the sixth
5 division of the district court and be entitled to a trial de novo in accordance with §§ 8-8-3(a)(4) and
6 8-8-3.2.

7 (b) With respect to violations of either municipal ordinances dealing with minimum
8 housing or chapter 24.3, et seq. of this title dealing with housing maintenance and occupancy, the
9 town council may also confer upon the municipal court, in furtherance of the court's jurisdiction,
10 the power to proceed according to equity:

- 11 (1) To restrain, prevent, enjoin, abate or correct a violation;
- 12 (2) To order the repair, vacation or demolition of any dwelling existing in violation;
- 13 (3) To otherwise compel compliance with all of the provisions of the ordinances and
14 statutes.

15 (c) The municipal court shall have concurrent jurisdiction with the Rhode Island Traffic
16 Tribunal to hear and adjudicate those violations conferred upon the municipal court and enumerated
17 in § 8-18-3. Adjudication of summons by the municipal court shall be in conformance with § 8-18-
18 4. The municipal court shall hear and decide traffic matters in a manner consistent with the
19 procedures of the traffic tribunal, and be subject to review by the chief judge of the district court in
20 accordance with § 8-18-11. Any person desiring to appeal an adverse decision of the municipal
21 court for violations enumerated in § 8-18-3, may seek review thereof pursuant to the procedures
22 set forth in § 31-41.1-8.

23 (d) The town council of the town of North Smithfield is authorized and empowered to
24 appoint a judge and clerk of the municipal court. The town council of the town of North Smithfield
25 is authorized and empowered to enact ordinances governing the personnel, operation and procedure
26 to be followed in the court and to establish a schedule of fees and costs, and to otherwise provide
27 for the operation and management of the court. The municipal court may impose a sentence not to
28 exceed thirty (30) days in jail and impose a fine not in excess of five hundred dollars (\$500), or
29 both. The court is empowered to administer oaths, compel the attendance of witnesses and punish
30 persons for contempt ~~and to execute search warrants to the extent the warrants could be executed~~
31 ~~by a judge of the district court.~~

32 **45-2-61. Town of Barrington -- Municipal court.**

33 (a) The town council of the town of Barrington may establish a municipal court and confer
34 upon that court original jurisdiction, notwithstanding any other provisions of the general laws, to

1 hear and determine causes involving the violations of any ordinance, including minimum housing
2 ordinances of the town and any violation of the provisions of chapter 24.3 of this title, entitled the
3 Rhode Island Housing Maintenance and Occupancy Code; provided, however, that any defendant
4 found guilty of any offense, excluding violation of the minimum housing ordinances or chapter
5 24.3 within the jurisdiction of the court, may, within seven (7) days of conviction, file an appeal
6 from the conviction to the superior court and be entitled in the latter court to a trial de novo; and
7 provided further, however, that any defendant found guilty of any violation of a minimum housing
8 ordinance or of chapter 24.3 may, within seven (7) days of the conviction, file an appeal from the
9 conviction to the sixth division of the district court and be entitled to a trial de novo in accordance
10 with subdivision 8-8-3(a)(4) and § 8-8-3.2.

11 (b) With respect to violations of either municipal ordinances dealing with minimum
12 housing or chapter 24.3, et seq. of this title dealing with housing maintenance and occupancy, the
13 town council may also confer upon the municipal court, in furtherance of the court's jurisdiction,
14 the power to proceed according to equity:

15 (1) To restrain, prevent, enjoin, abate or correct a violation;

16 (2) To order the repair, vacation or demolition of any dwelling existing in violation;

17 (3) To otherwise compel compliance with all of the provisions of the ordinances and
18 statutes.

19 (c) The municipal court shall have concurrent jurisdiction with the Rhode Island traffic
20 tribunal to hear and adjudicate those violations conferred upon the municipal court and enumerated
21 in § 8-18-3. Adjudication of summons by the municipal court shall be in conformance with § 8-18-
22 4. The municipal court shall hear and decide traffic matters in a manner consistent with the
23 procedures of the traffic tribunal, and be subject to review by the chief magistrate of the traffic
24 tribunal in accordance with § 8-18-11. Any person desiring to appeal an adverse decision of the
25 municipal court for violations enumerated in § 8-18-3, may seek review thereof pursuant to the
26 procedures set forth in § 31-41.1-8.

27 (d) The town council of the town of Barrington is authorized and empowered to appoint a
28 judge of the municipal court. The town council of the town is authorized and empowered to enact
29 ordinances governing the personnel, operation and procedure to be followed in the court and to
30 establish a schedule of fees and costs, and to otherwise provide for the operation and management
31 of the court. The municipal court may impose a sentence not to exceed thirty (30) days in jail and
32 impose a fine of not in excess of five hundred dollars (\$500), or both. The court is empowered to
33 administer oaths, compel the attendance of witnesses, punish persons for contempt ~~and to authorize~~
34 ~~and execute search warrants to the extent the warrants could be authorized and executed by a justice~~

1 ~~of the district court.~~

2 **45-2-62. Town of Portsmouth -- Municipal court.**

3 (a) The town council of the town of Portsmouth may establish a municipal court and confer
4 upon the court original jurisdiction, notwithstanding any other provisions of the general laws, to
5 hear and determine causes involving the violations of any ordinance, including minimum housing
6 ordinances of the town and any violation of the provisions of chapter 24.3 of this title, entitled the
7 "Rhode Island Housing Maintenance and Occupancy Code"; provided, however, that any defendant
8 found guilty of any offense, excluding violation of the minimum housing ordinances or chapter
9 24.3 within the jurisdiction of the court, may, within seven (7) days of conviction, file an appeal
10 from the conviction to the superior court for Newport County and be entitled in the latter court to
11 a trial de novo; and provided further, however, that any defendant found guilty of any violation of
12 a minimum housing ordinance or of chapter 24.3 may, within seven (7) days of the conviction, file
13 an appeal from the conviction to the second division of the district court and be entitled to a trial
14 de novo in accordance with subdivision 8-8-3(a)(4) and § 8-8-3.2.

15 (b) With respect to violations of either municipal ordinances dealing with minimum
16 housing or chapter 24.3, et seq. of this title dealing with housing maintenance and occupancy, the
17 town council may also confer upon the municipal court, in furtherance of the court's jurisdiction,
18 the power to proceed according to equity:

- 19 (1) To restrain, prevent, enjoin, abate or correct a violation;
20 (2) To order the repair, vacation or demolition of any dwelling existing in violation;
21 (3) To otherwise compel compliance with all of the provisions of the ordinances and
22 statutes.

23 (c) The municipal court shall have concurrent jurisdiction with the Rhode Island traffic
24 tribunal to hear and adjudicate those violations conferred upon the municipal court and enumerated
25 in § 8-18-3. Adjudication of summons by the municipal court shall be in conformance with § 8-18-
26 4. The municipal court shall hear and decide traffic matters in a manner consistent with the
27 procedures of the traffic tribunal, and be subject to review by the chief magistrate of the traffic
28 tribunal in accordance with § 8-18-11. Any person desiring to appeal an adverse decision of the
29 municipal court for violations enumerated in § 8-18-3, may seek review thereof pursuant to the
30 procedures set forth in § 31-41.1-8.

31 (d) The town council of the town of Portsmouth is authorized and empowered to appoint a
32 judge and clerk of the municipal court. The town council is authorized and empowered to enact
33 ordinances governing the personnel, operation and procedure to be followed in the court and to
34 establish a schedule of fees and costs, and to otherwise provide for the operation and management

1 of the court. The municipal court may impose a sentence not to exceed thirty (30) days in jail and
2 impose a fine not in excess of five hundred dollars (\$500), or both. The court is empowered to
3 administer oaths, compel the attendance of witnesses and punish persons for contempt ~~and to~~
4 ~~authorize and execute search warrants to the extent the warrants could be authorized and executed~~
5 ~~by a justice of the district court.~~

6 **45-2-63. Town of Richmond -- Municipal court.**

7 (a) The town council of the town of Richmond may establish a municipal court and confer
8 upon the court original jurisdiction, notwithstanding any other provisions of the general laws, to
9 hear and determine causes involving violation of the town of Richmond code of ordinances,
10 including any minimum housing ordinances of the town, and violations of the provisions of chapter
11 45-24.3, entitled the Rhode Island housing maintenance and occupancy code; provided, however,
12 that any defendant found guilty of any violation of the Richmond code of ordinances, excluding
13 any minimum housing ordinances, may, within seven (7) days of conviction, file an appeal from
14 the conviction to the superior court for Washington County and be entitled in the latter court to a
15 trial de novo; and, provided further, however, that any defendant found guilty of any violation of
16 any minimum housing ordinances or of chapter 45-23.3 may, within seven (7) days of the
17 conviction, file an appeal from the conviction to the fourth division of the district court and be
18 entitled to a trial de novo in accordance with subdivision 8-8-3(a)(4) and § 8-8-3.2.

19 (b) With respect to violations of any minimum housing ordinance and violations of chapter
20 45-24.3 et seq., of this title dealing with housing maintenance and occupancy, the town council
21 may also confer upon the municipal court, in furtherance of the court's jurisdiction, the power to
22 proceed according to equity:

23 (1) To restrain, prevent, enjoin, abate, or correct a violation;

24 (2) To order the repair, vacation, or demolition of any dwelling existing in violation; and

25 (3) To otherwise compel compliance with all of the provisions of the ordinances and
26 statutes.

27 (c) The municipal court shall have concurrent jurisdiction with the Rhode Island traffic
28 tribunal to hear and adjudicate those violations enumerated in § 8-18-3. Adjudication of summons
29 by the municipal court shall be in conformance with § 8-18-4. The municipal court shall hear and
30 decide traffic matters in a manner consistent with the procedures of the traffic tribunal, and shall
31 be subject to review by the chief magistrate of the traffic tribunal in accordance with § 8-18-11.
32 Any person desiring to appeal an adverse decision of the municipal court for violations enumerated
33 in § 8-18-3 may seek review thereof pursuant to the procedures set forth in § 31-41.1-8.

34 (d) The town council of the town of Richmond is authorized and empowered to appoint a

1 judge and a clerk of the municipal court; to enact ordinances governing the personnel, operation,
2 and procedure to be followed in the court; to establish a schedule of fees and costs; and to otherwise
3 provide for the operation and management of the court. The municipal court may impose a sentence
4 not to exceed thirty (30) days in jail and impose a fine not in excess of five hundred dollars (\$500)
5 per violation, or both. The court is empowered to administer oaths, compel the attendance of
6 witnesses, and punish persons for contempt ~~and to execute search warrants to the extent the~~
7 ~~warrants could be executed by a judge of the district court.~~

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

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LC001892
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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

A N A C T
RELATING TO TOWNS AND CITIES -- GENERAL POWERS

- 1 This act would repeal the power granted to certain municipal courts to execute search
- 2 warrants to the extent the warrants could be executed by a judge of the district court.
- 3 This act would take effect upon passage.

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LC001892
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