

2017 -- H 5950

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2017

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A N A C T

RELATING TO TOWNS AND CITIES - NORTH KINGSTOWN MUNICIPAL COURT

Introduced By: Representatives Casimiro, Craven, Ruggiero, Knight, and Shanley

Date Introduced: March 17, 2017

Referred To: House Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 45-2-55 of the General Laws in Chapter 45-2 entitled "General
2 Powers" is hereby amended to read as follows:

3 **45-2-55. Town of North Kingstown -- Municipal Court.**

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

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 those ordinances and
6 statutes.

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

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

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

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- 1 This act would allow the North Kingstown Municipal Court to issue arrest warrants.
- 2 This act would take effect upon passage.

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