

2011 -- S 0652

LC01826

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2011

A N A C T

RELATING TO TOWNS AND CITIES

Introduced By: Senators Jabour, Metts, and Pichardo

Date Introduced: March 10, 2011

Referred To: Senate Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 45-24.2-7 of the General Laws in Chapter 45-24.2 entitled  
2 "Minimum Housing Standards" is hereby amended to read as follows:

3 ~~45-24.2-7. Penalties --- District court jurisdiction --- Providence housing court ---~~  
4 ~~Municipal court of the town of North Providence --- Review by Supreme Court Penalties -~~  
5 ~~District court jurisdiction - Providence housing court -Lead court calendar - Municipal~~  
6 ~~court of the town of North Providence - Review by Supreme Court. - (a) Failure to comply~~  
7 with any ordinance, rule, or regulation passed pursuant either to the authority hereof or to any  
8 special act governing minimum housing shall constitute a violation, as defined in section 11-1-2,  
9 punishable by a fine of not more than five hundred dollars (\$500) for each violation, and each  
10 day's failure to comply with any provision shall constitute a separate violation. The district court  
11 shall have exclusive original jurisdiction of all violations as provided in section 12-3-1; provided,  
12 that in the city of Providence, the Providence housing court shall have jurisdiction to try  
13 violations occurring within the city of Providence; provided, further, that in the town of North  
14 Providence, the municipal court of the town of North Providence shall have jurisdiction to try  
15 violations occurring within the town of North Providence, but only in the event that the city shall  
16 by ordinance create a court for the purpose of exercising jurisdiction over minimum housing  
17 standards. A party aggrieved by any judgment of the district court imposing a fine pursuant to this  
18 section may seek review by the supreme court in accordance with section 12-22-1.1.

19 (b) The city council of the city of Providence may establish within its housing court a

1 separate calendar within the jurisdiction of the housing court to be known and referred to as the  
2 “lead court calendar” for the hearing, trial, and disposition of actions involving lead within  
3 buildings and on premises or property in the city of Providence, including, but not limited to,  
4 actions brought pursuant to chapters 23-24.6 (“Lead Poisoning Prevention Act”) and/or 42-128.1  
5 (“Lead Hazard Mitigation”). The jurisdiction of the "lead court calendar" of the Providence  
6 housing court shall be concurrent with any other court or entity given jurisdiction to hear such  
7 matters under the general laws. A justice of the lead court calendar may defer or order a case  
8 removed to another court or forum of competent jurisdiction, including, but not limited to, an  
9 appropriate administrative agency, if the judge determines that such other court or forum would  
10 be a more appropriate court or forum to hear the matter involved.

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

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF  
A N A C T  
RELATING TO TOWNS AND CITIES

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1           This act would allow the city of Providence to establish a lead court calendar within its  
2 housing court.

3           This act would take effect upon passage.

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