

**CODE OF ORDINANCES
CITY OF
WARWICK, RHODE ISLAND**

Adopted May 20, 1996

Effective May 29, 1996

Published by Order of the Mayor and City Council

M	MUNICIPAL CODE CORPORATION
CC	Tallahassee, Florida 1996

OFFICIALS

of the

CITY OF

WARWICK, RHODE ISLAND

AT THE TIME OF THIS CODIFICATION

Lincoln D. Chafee

Mayor

Linda H. Sullivan, President, Ward 2

Scott Avedisian, Ward 1

Richard H. DoGregorio, Ward 3

Eugene P. Kelly, Ward 4
Carlo E. Pisaturo, Jr., Ward 5
Donna M. Travis, Ward 6
Alfred A. Gemma, Ward 7
Alfred Ferruolo, Jr., Ward 8
C. Christopher Sirr, Ward 9

City Council

Marie T. Bennett

City Clerk

William E. Smith, Esq.
Edwards & Angell

City Solicitors

PREFACE

This Code constitutes a complete recodification of the general and permanent ordinances of the City of Warwick, Rhode Island.

Source materials used in the preparation of the Code were the 1971 Code, as supplemented through October 18, 1993, and ordinances subsequently adopted by the mayor and city council. The source of each section is included in the history note appearing in parentheses at the end thereof. The absence of such a note indicates that the section is new and was adopted for the first time with the adoption of the Code. By use of the comparative tables appearing in the back of this Code, the reader can locate any section of the 1971 Code, as supplemented, and any subsequent ordinance included herein.

The chapters of the Code have been conveniently arranged in alphabetical order, and the various sections within each chapter have been catchlined to facilitate usage. Notes which tie related sections of the Code together and which refer to relevant state law have been included. A table listing the state law citations and setting forth their location within the Code is included at the back of this Code.

Chapter and Section Numbering System

The chapter and section numbering system used in this Code is the same system used in many state and local government codes. Each section number consists of two parts separated by a dash. The figure before the dash refers to the chapter number, and the figure after the dash refers to the position of the section within the chapter. Thus, the second section of chapter 1 is numbered 1-2, and the first section of chapter 6 is 6-1. Under

this system, each section is identified with its chapter, and at the same time new sections can be inserted in their proper place by using the decimal system for amendments. For example, if new material consisting of one section that would logically come between sections 6-1 and 6-2 is desired to be added, such new section would be numbered 6-1.5. New articles and new divisions may be included in the same way or, in the case of articles, may be placed at the end of the chapter embracing the subject, and, in the case of divisions, may be placed at the end of the article embracing the subject. The next successive number shall be assigned to the new article or division. New chapters may be included by using one of the reserved chapter numbers. Care should be taken that the alphabetical arrangement of chapters is maintained when including new chapters.

Page Numbering System

The page numbering system used in this Code is a prefix system. The letters to the left of the colon are an abbreviation which represents a certain portion of the volume. The number to the right of the colon represents the number of the page in that portion. In the case of a chapter of the Code, the number to the left of the colon indicates the number of the chapter. In the case of an appendix to the Code, the letter immediately to the left of the colon indicates the letter of the appendix. The following are typical parts of codes of ordinances, which may or may not appear in this Code at this time, and their corresponding prefixes:

CHARTER	CHT:1
RELATED ACTS	RA:1
CHARTER COMPARATIVE TABLES	CHTCT:1
CODE	CD1:1
CODE APPENDIX	CDA:1
CODE COMPARATIVE TABLES	CCT:1
STATE LAW REFERENCE TABLE	SLT:1
CHARTER AND RELATED ACTS INDEX	CHTi:1
CODE INDEX	CDi:1

Indexes

The indexes have been prepared with the greatest of care. Each particular item has been placed under several headings, some of which are couched in lay phraseology, others in legal terminology, and still others in language generally used by local government officials and employees. There are numerous cross references within the indexes themselves which stand as guideposts to direct the user to the particular item in which the user is interested.

Looseleaf Supplements

A special feature of this publication is the looseleaf system of binding and supplemental servicing of the publication. With this system, the publication will be kept up-to-date. Subsequent amendatory legislation will be properly edited, and the affected page or pages will be reprinted. These new pages will be distributed to holders of copies of the publication, with instructions for the manner of inserting the new pages and deleting the obsolete pages.

Keeping this publication up-to-date at all times will depend largely upon the holder of the publication. As revised pages are received, it will then become the responsibility of the holder to have the amendments inserted according to the attached instructions. It is strongly recommended by the publisher that all such amendments be inserted immediately upon receipt to avoid misplacing them and, in addition, that all deleted pages be saved and filed for historical reference purposes.

Acknowledgments

This publication was under the direct supervision of Jan Shekitka, Supervising Editor, and Connie Timmons, Editor, of the Municipal Code Corporation, Tallahassee, Florida. Credit is gratefully given to the other members of the publisher's staff for their sincere interest and able assistance throughout the project.

The publisher is most grateful to Ms. Marie Bennett, City Clerk, for her cooperation and assistance during the progress of the work on this publication. It is hoped that her efforts and those of the publisher have resulted in a Code of Ordinances which will make the active law of the city readily accessible to all citizens and which will be a valuable tool in the day-to-day administration of the city's affairs.

Copyright

All editorial enhancements of this Code are copyrighted by Municipal Code Corporation and the City of Warwick, Rhode Island. Editorial enhancements include, but are not limited to: organization; table of contents; section catchlines; prechapter section analyses; editor's notes; cross references; state law references; numbering system; code comparative table; state law reference table; and index. Such material may not be used or reproduced for commercial purposes without the express written consent of Municipal Code Corporation and the City of Warwick, Rhode Island.

© Copyrighted material.

Municipal Code Corporation and the City of Warwick, Rhode Island. 1996.

ADOPTING ORDINANCE

ORDINANCE NO. 0-96-21

An Ordinance Adopting and Enacting a New Code of Ordinances of the City of Warwick, Rhode Island; Establishing the Same; Providing for the Repeal of Certain Ordinances Not Included Therein, Except as Herein Expressly Provided; Providing for the Manner of Amending Such Code of Ordinances; Providing a Penalty for the Violation Thereof; and Providing When This Ordinance Shall Become Effective.

Be it Ordained by the City of Warwick:

Section 1. That the Code of Ordinances, consisting of Chapters 1 through 82, each inclusive, a copy of which is hereby placed on file in the records of the City Council in the office of the City Clerk is hereby adopted and enacted as the "Code of Ordinances of the City of Warwick, Rhode Island," and shall be treated and considered as a new and original comprehensive ordinance which shall supersede all other general and permanent ordinances of the City passed on or before October 16, 1995, to the extent provided in Section 2

hereof.

Section 2. That all provisions of such Code shall be in full force and effect from and after the date of enactment of this Ordinance, and all ordinances of a general and permanent nature of the City of Warwick, enacted on final passage on or before October 16, 1995, and not included in such Code or recognized and continued in force by reference therein are hereby repealed from and after the date of enactment of this Ordinance, except as hereinafter provided. No resolution of the City not specifically mentioned is hereby repealed.

Section 3. That the repeal provided for in Section 2 hereof shall not affect the following to the extent they are applicable at the time of enactment of this Ordinance:

- (a) Any offense or act committed or done or any penalty or forfeiture incurred or any contract or right established or accruing before the effective date of this ordinance.
- (b) Any ordinance promising or guaranteeing the payment of money for the City, or authorizing the issuance of any bonds of the City or any evidence of the City's indebtedness, or any contract or obligation assumed by the City;
- (c) Any administrative ordinances of the City, not in conflict or inconsistent with the provisions of such Code;
- (d) Any ordinance fixing salaries of officers or employees of the City;
- (e) Any appropriation ordinance;
- (f) Any right or franchise granted to any person, firm or corporation;
- (g) Any ordinance dedicating, naming, establishing, locating, relocating, opening, closing, paving, widening, vacating, etc., any street or public way in the City;
- (h) Any ordinance establishing and prescribing the street grades of any street in the City;
- (i) Any ordinance providing for local improvements or assessing taxes therefor;
- (j) Any ordinance dedicating or accepting any plat or subdivision in the City, or providing regulations for the same;
- (k) Any ordinance annexing property to the City;
- (l) Any zoning ordinance of the City;
- (m) Any ordinance prescribing traffic regulations for specific locations, prescribing through streets, parking limitations, parking prohibitions, one-way traffic, limitations on loads of vehicles or loading zones, not inconsistent with such Code;

- (n) Any ordinance fixing utility rates and charges;
- (o) Any ordinance enacted after October 16, 1995; nor shall such repeal be construed to revive any ordinance or part of an ordinance which is repealed by this ordinance.
- (p) Any ordinance required to remain in effect pursuant to State or Federal laws.

Section 4. That whenever in such Code an act is prohibited or is made or declared to be unlawful or an offense or a misdemeanor, or whenever in such Code the doing of any act is required or the failure to do any act is declared to be unlawful, and no specific penalty is provided therefor, a violation of any such provisions of such Code shall be punished as provided in Section 1-4 of such Code.

Section 5. That any and all additions or amendments to such Code, when passed in such form as to indicate an intention to make the same a part thereof, shall be deemed to be incorporated in such Code, so that reference to the "Code of Ordinances of the City of Warwick, Rhode Island," shall be understood and intended to include such additions and amendments.

Section 6. That in case of amendment of any section of such Code for which a penalty is not provided, the general penalty as provided in Section 1-4 of such Code shall apply to the section as amended; or in case such amendment contains provisions for which a penalty, other than the aforementioned general penalty is provided in such other section in the same chapter, the penalty so provided in such other section shall be held to relate to the section so amended, unless such penalty is specifically repealed therein.

Section 7. That a copy of such Code shall be kept on file in the office of the City Clerk, preserved in looseleaf form or in such other form as the City Clerk may consider most expedient. It shall be the express duty of the City Clerk, or someone authorized by him or her, to insert in their designated places all amendments and all ordinances or resolutions which indicate the intention of the Mayor and Council to make the same a part of such Code when the same have been printed or reprinted in page form, and to extract from such Code all provisions which from time to time may be repealed by the Mayor and Council. This copy of such code shall be available to all persons desiring to examine the same.

Section 8. That it shall be unlawful for any person to change or alter, by additions or deletions, any part or portion of such Code, or to insert or delete pages or portions thereof, or to alter or tamper with such Code in any manner whatsoever which will cause the law of the City of Warwick to be misrepresented thereby. Any person violating this section shall be punished as provided in Section 1-4 of the "Code of Ordinances of the City of Warwick, Rhode Island."

Section 9. That this ordinance shall take effect upon passage and publication as prescribed by law.

PASSED, APPROVED AND ADOPTED BY THE CITY COUNCIL on this 20th day of May, 1996.

APPROVED BY THE MAYOR ON THE 29th day of May, 1996.

(SEAL)

Lincoln Chafee

Mayor

A TRUE COPY
ATTEST:

Marie T. Bennett

City Clerk

A TRUE COPY
ATTEST:

Marie T. Bennett

City Clerk

CERTIFICATE

I, Marie Bennett, City Clerk, do hereby certify that the above and foregoing is a true and correct copy of that certain ordinance of like tenor and effect, passed on the 20th day of May, 1996, by the Council of the City of Warwick, Rhode Island, approved by the Mayor of said City and published as prescribed by law on the 29th day of May, 1996, and as now appears duly recorded.

IN WITNESS WHEREOF, I have hereunto affixed my signature the 31st day of July, 1996.

SPONSORED BY: COUNCILMAN AVEDESIAN

COMMITTEE: UNANIMOUS CONSENT