

THE CITY OF WARWICK
STATE OF RHODE ISLAND

CHAPTER 8
BUILDINGS AND BUILDING REGULATIONS

No..... Date.....

Approved.....Mayor

AN ORDINANCE RELATIVE TO ESTABLISHING PENALTIES FOR THE
UNAUTHORIZED REMOVAL OR DESTRUCTION OF CEASE AND DESIST OR
STOP WORK ORDERS, AND FOR THE APPEAL OF SECTION 8-1 VIOLATIONS,
FINES, FEES AND PENALTIES TO THE MUNICIPAL COURT

Be it ordained by the City of Warwick:

Section I: Section 8-1, Chapter 8 of the Code of Ordinances of the City of Warwick Code is hereby amended as follows:

Sec. 8-1. Penalties for failure to obtain building, plumbing, electrical and mechanical permits, and the unauthorized removal or destruction of cease and desist or stop work orders; appeal to municipal court.

- (a) Any person, firm, corporation or other entity who erects, enlarges or alters a structure, or installs or alters any equipment, the installation of which is regulated by an applicable code, without first obtaining a building permit or permits for plumbing, electrical and mechanical from the city, or who removes or destroys without authority a cease and desist or stop work order, shall be subject to punishment as provided in section 1-4. The responsibility for paying the fines or penalties shall rest with the owner of the real estate. These fines or penalties are in addition to such other remedies as the city may have.
- (b) Any contractor, who erects, enlarges or alters a structure, or installs or alters any equipment, the installation of which is regulated by an applicable code or performs other work requiring a building, electrical, plumbing or mechanical permit without first obtaining said permit from the city, or who removes or destroys without authority a cease and desist or stop work order, shall be subject to punishment as follows:
 - (1) For a first offense, a fine or penalty of \$250.00 for each permit or cease and desist/stop work order, plus a processing fee of \$750.00 plus the cost of each permit that should have been applied for in the first instance. The responsibility for paying the fines, fees or penalties shall rest with the

1 contractor. These fines, fees or penalties are in addition to such other
2 remedies as the city may have;

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4 (2) For a second offense within 12 months of the first offense, a fine or penalty
5 of \$500.00 for each permit or cease and desist/stop work order, plus a
6 processing fee of \$1,500.00 plus the cost for each permit that would have
7 been incurred if a permit were issued in the first instance. The responsibility
8 for paying the fines, fees or penalties shall rest with the contractor. These
9 fines, fees or penalties are in addition to such other remedies as the city may
10 have;

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12 (3) For a third offense within 12 months of the first offense, a fine or penalty
13 of \$500.00 for each permit or cease and desist/stop work order, plus a
14 processing fee of \$2,250.00 plus the cost for each permit that would have
15 been incurred if a permit were issued in the first instance. The responsibility
16 for paying the fines, fees or penalties shall rest with the contractor. These
17 fines, fees or penalties are in addition to such other remedies as the city may
18 have;

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20 (4) Failure to pay any and all fines, penalties, or processing fees shall prohibit
21 the building official from issuing any additional permits to said registered
22 or licensed contractor until such time as all fines, penalties, or processing
23 fees are paid to the City of Warwick for the subject property; provided
24 however, if the contractor has three offenses within 12 months of the first
25 offense, then the city may refuse to issue any permit for six months after the
26 date of the third offense.

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28 (5) All fines, penalties, or processing fees assessed under this section are in
29 addition to and not in substitution of the contractor's responsibility to obtain
30 the applicable permits and pay to the city the requisite associated amounts.

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32 (c) The building official shall notify the State Contractors Registration and Licensing
33 Board and/or the applicable division at the Department of Labor and Training
34 within five days of any violations issued to a contractor for being in violation of
35 this section.

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37 (d) Any person found in violation of the provisions of this section shall have the right
38 to appeal to the municipal court any finding of violation or assessment of fines, fees
39 or penalties within fifteen (15) days of issuance of citation thereof.

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41 Section II: This Ordinance shall take effect immediately upon its passage and publication as
42 prescribed by law.

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44 SPONSORED BY: COUNCILMAN LADOUCEUR

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46 COMMITTEE: ORDINANCE