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LC01331/SUB A/2
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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2012

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A N A C T

RELATING TO TOWNS AND CITIES -- GENERAL POWERS -- BARRINGTON
MUNICIPAL COURT

Introduced By: Representatives Malik, and Hearn

Date Introduced: February 09, 2012

Referred To: House Municipal Government

It is enacted by the General Assembly as follows:

1 SECTION 1. Chapter 45-2 of the General Laws entitled "General Powers" is hereby
2 amended by adding thereto the following section:

3 **45-2-61. Town of Barrington -- Municipal court. --** (a) The town council of the town of
4 Barrington may establish a municipal court and confer upon that court original jurisdiction,
5 notwithstanding any other provisions of the general laws, to hear and determine causes involving
6 the violations of any ordinance, including minimum housing ordinances of the town and any
7 violation of the provisions of chapter 24.3 of this title, entitled the Rhode Island Housing
8 Maintenance and Occupancy Code; provided, however, that any defendant found guilty of any
9 offense, excluding violation of the minimum housing ordinances or chapter 24.3 within the
10 jurisdiction of the court, may, within seven (7) days of conviction, file an appeal from the
11 conviction to the superior court and be entitled in the latter court to a trial de novo; and provided
12 further, however, that any defendant found guilty of any violation of a minimum housing
13 ordinance or of chapter 24.3 may, within seven (7) days of the conviction, file an appeal from the
14 conviction to the sixth division of the district court and be entitled to a trial de novo in accordance
15 with subdivision 8-8-3(a)(4) and section 8-8-3.2.

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

1 the power to proceed according to equity:

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

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

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

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

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

23 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 -- GENERAL POWERS -- BARRINGTON
MUNICIPAL COURT

- 1 This act would authorize the Town of Barrington to establish a municipal court.
- 2 This act would take effect upon passage.

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