

2012 -- H 7936

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LC02163
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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 THE CITY OF WARWICK - SEWER AUTHORITY

Introduced By: Representative Joseph M. McNamara

Date Introduced: March 13, 2012

Referred To: House Municipal Government

It is enacted by the General Assembly as follows:

1 SECTION I. Section 17 of Chapter 254 of the 1962 Public Laws entitled “An Act to
2 Create a Sewer Authority for the City of Warwick and to Authorize Said City to Plan, Construct,
3 Finance. Operate and Maintain Sewage Works,” as amended, is hereby further amended to read
4 as follows:
5 Section 17. Authority to order connection to sewer ordering cesspool. etc. to be filled up,
6 etc. -- (a) The sewer authority with the advice and consent of the mayor in the interest of public
7 health and safety is authorized to order any abutting owner or occupant of land upon any street in
8 which there is a sewer or in which a sewer may hereafter be constructed, to connect the sewage of
9 such premises with such sewer, and to order any owner or occupant to fill up and destroy any
10 cesspool, privy vault, drain or other arrangement on such land for the reception of sewage. Upon
11 the service of any such order, or copy thereof upon any such owner or occupant, to connect the
12 sewage as aforesaid, or to fill up or destroy any cesspool, privy vault, drain or other arrangement
13 for the reception of sewage, such owner or occupant shall comply therewith within thirty (30)
14 days from the time of service of such order. In case the owner or occupant to whom any such
15 order is directed shall neglect or refuse to comply therewith within thirty (30) days after the
16 service thereof upon him/her, he/she shall be fined not less than one hundred dollars (\$100) nor
17 more than five hundred dollars (\$500) for each subsequent twenty-four (24) hours during which
18 he/she shall neglect or refuse to comply therewith and in case such neglect or refusal shall
19 continue for sixty (60) days after the service of such an order, the authority may cause such

1 cesspool, privy vault, drain or other arrangement for the reception of sewage which is the subject
2 of such order to be filled up and destroyed and the sewage from such land to be connected with a
3 common sewer. The pendency of any appeal from any such order, shall not affect the power of
4 the authority, after the expiration of said period of sixty (60) days, to cause such cesspool, privy
5 vault, or other arrangement for the reception of sewage to be forthwith filled up and destroyed.

6 Whenever the authority shall cause any cesspool, privy vault, or other arrangement for
7 the reception of sewage to be filled up and destroyed, or the sewage of any land to be connected
8 with a common sewer, it shall keep careful account of the cost of such work and of any expense
9 caused the city by reason of the neglect or refusal of the owner or occupant of such land to
10 comply with the order of the authority issued as aforesaid, and upon the completion of such work
11 the authority shall file statement of such cost and expense with the director of finance and
12 thereupon the amount of such cost and expense shall be a lien upon the land, including
13 improvement thereon, for which such cost and expense was incurred and the same shall be
14 collected in the same manner as other assessments and charges are collected under this act.

15 (b) Mandatory connection to sewer prior to sale or transfer. — Any abutting owner or
16 occupant of land upon any street in which there is a sewer must connect the sewage of such
17 premises with such sewer and fill up and destroy any cesspool, privy vault, drain or other
18 arrangement on such land for the reception of sewage, excluding any Rhode Is land department of
19 environmental management ISDS approved system, prior to the one year anniversary of the sale
20 or transfer in ownership. If such abutting owner or occupant of land who is required to connect to
21 the sewage system fails to do so in prescribed time period, then such abutting owner or occupant
22 of land shall be required to pay usage fees as if such abutting owner or occupant of land were
23 connected to the sewage system.

24 (c) Notwithstanding the provisions of any law, rule, regulation or agreement to the
25 contrary, an abutting owner or occupant of land upon any street in which there is a sewer shall not
26 be required to connect to the sewage system, except as provided under subsections (a) or (b) of
27 this section.

28 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 THE CITY OF WARWICK - SEWER AUTHORITY

1 This act would provide that within the city of Warwick any abutting owner or occupant
2 of land upon any street in which there is a sewer shall only be required to connect to the sewage
3 system as required by Section 17 of Chapter 254 of the 1962 Public Laws, as amended.

4 This act would take effect upon passage.

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