

**THE TOWN OF WEST GREENWICH
STATE OF RHODE ISLAND**

ORDINANCE NO. _____

**AN ORDINANCE IN AMENDMENT TO THE ORDINANCES OF THE TOWN OF
WEST GREENWICH**

ADOPTED 5-15-2024

FIRST READING 4-10-2024

SECOND READING 5-15-2024

IT IS HEREBY ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF WEST GREENWICH, RHODE ISLAND, AS FOLLOWS:

WHEREAS, the Town of West Greenwich, desires to amend the Ordinances and provide for an ordinance restricting trespass to utility poles.

IT IS HEREBY ORDAINED by the Town Council of West Greenwich, Rhode Island, that Chapter 400, Sections 91 and 92 of the Ordinances of the Town of West Greenwich be amended to read as follows:

ARTICLE VII. SIGN REGULATIONS

§ 400-91. Exemptions Trespassing on Utility Poles and Other Public Property

(a) No person shall post or affix any notice, poster or other paper or device to any lamppost, public utility post or shade tree, or upon any public property, or in any manner prohibited under G. L.1956, § 5-18-1, except as may be authorized or required by law.

(b) Upon a finding of the building official that any notice, poster or other paper or device within the town is in such violation of the requirements of this article, he may give notice thereof to the owner of the notice, poster or other paper or device to comply with the requirements of this article within 24 hours after service of notice. Such notice shall contain a statement of the findings of the building official as to violations and a description of the notice, poster or other paper or device as well as its location. Such notice may be given personally or by certified mail to the individuals listed on the notice, poster or other paper or device and service of such notice shall be deemed complete and sufficient when so addressed and deposited in the United States mail with postage prepaid. Nothing in this section shall prohibit town employees from removing the notice, poster or other paper or device.

(c) Enforcement authority. The town building official is authorized to:

(1) Issue a written citation or summons to the Rhode Island District Court if such officer witnesses a violation or has probable cause to believe that a person has violated the provisions of this article.

(2) Investigate any notice, poster or other paper or device found thrown, deposited, or dumped on a public place.

(3) Issue a notice of violation and order the removal of said litter pursuant to procedures defined in this section.

(d) Upon failure of the owner of such notice, poster or other paper or device to remedy the conditions existing in violation of the requirements hereof within seven days after service of notice to do so as provided herein, the building official or his designee may proceed to Rhode Island District Court where, upon conviction, said owner shall be fined in accordance with the ordinances of the town, and shall be required to pay the costs of remediation and cleaning incurred by the town.

(e) Right to appeal. Any person owning all or any interest in said property shall have the right to appeal the findings of violation within seven days of service of the notice thereof, to the Rhode Island District Court. Appeals from any decision of the Rhode Island District Court may be appealed to the Superior Court within seven days.

§ 400-92 . Exemptions

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This ordinance shall take effect upon passage.

First Reading: _____ 4-10-2024 _____

Date of Publication: _____

Second Reading: _____ 5-15-2024 _____

Council Action: Adopted _____ Rejected