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LC003185
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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2026

A N A C T

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

Introduced By: Senators McKenney, LaMountain, and Appollonio

Date Introduced: January 16, 2026

Referred To: Senate Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 45-2-19 of the General Laws in Chapter 45-2 entitled "General
2 Powers" is hereby amended to read as follows:

3 **45-2-19. City of Warwick — Municipal court.**

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

16 **(b) In addition to the jurisdiction conferred in subsection (a) of this section, the municipal**
17 **court shall have original jurisdiction, notwithstanding any other provisions of the general laws to**
18 **the contrary, to hear and determine causes involving the violation of the zoning ordinances of the**

1 city and any violation of the provisions of chapter 24 of this title ("zoning ordinances"); any
2 violation of chapter 24.1 of this title ("historical area zoning"); any violation of chapter 24.2 of this
3 title ("minimum housing standards"); any violation of chapter 24.3 of this title ("housing
4 maintenance and occupancy code"); any violation of chapter 23 of this title ("subdivision of land");
5 any violation of any local Warwick ordinance or regulation enacted pursuant to these chapters; and
6 any violation of the provisions of chapter 27.3 of title 23 ("state building code"); and any violation
7 of the provisions of those regulations promulgated by the state building code commission including,
8 without limitation, SBC-1 Rhode Island state building code; SBC-2 Rhode Island state one and two
9 (2) family dwelling code; SBC-3 Rhode Island state plumbing code; SBC-4 Rhode Island state
10 mechanical code; SBC-5 Rhode Island state electrical code; SBC-6 state property maintenance
11 code; SBC-8 Rhode Island state energy conservation code; and SBC-20 Rhode Island state fuel and
12 gas code; and provided, further, that any party aggrieved by a final judgment, decree, or order of
13 the municipal court in any of these matters may file an appeal in the same manner and timeframe
14 as set forth in subsection (a) of this section to the superior court and be entitled in the latter court
15 to a trial de novo.

16 ~~(b)(c)~~ With respect to violations of ~~either municipal ordinances dealing with minimum~~
17 ~~housing or chapter 24.3 of this title dealing with housing maintenance and occupancy~~ matters
18 within the jurisdiction of the municipal court, the city council may also confer upon the municipal
19 court, in furtherance of the court's jurisdiction, the power to proceed according to equity:

- 20 (1) To restrain, prevent, enjoin, abate, or correct a violation;
- 21 (2) To order the repair, vacation, or demolition of any dwelling existing in violation;
- 22 (3) To otherwise compel compliance with all of the provisions of the ordinances and
23 statutes; or
- 24 (4) To utilize and apply the provisions set forth in chapter 44 of title 34 (Abandoned
25 Property).

26 ~~(e)~~(d) The mayor of the city is authorized and empowered to appoint a judge of the
27 municipal court with the advice and consent of the city or town council. The city council is
28 authorized and empowered to enact ordinances governing the operation and procedure to be
29 followed in the court and to establish a schedule of fees and costs. The municipal court may impose
30 ~~a sentence not to exceed thirty (30) days in jail and impose~~ a fine of not ~~in excess of~~ more than five
31 hundred dollars (\$500), ~~or both~~ for each violation. The municipal court may also order the
32 destruction of any vehicle impounded in accordance with any ordinance enacted pursuant to § 31-
33 12-12(c). The court is empowered to administer oaths, compel the attendance of witnesses, and
34 punish persons for contempt.

1 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
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- 1 This act would expand the jurisdiction of the city of Warwick municipal court to include
2 zoning, minimum housing and occupancy codes, subdivisions and land development regulations,
3 state building codes and local ordinances. The act would also remove the ability to sentence people
4 to jail.
- 5 This act would take effect upon passage.

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