

2026 -- S 2401

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S T A T E O F R H O D E I S L A N D

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2026

A N A C T

RELATING TO TOWNS AND CITIES -- GENERAL POWERS

Introduced By: Senators Gallo, Vargas, and LaMountain

Date Introduced: January 30, 2026

Referred To: Senate Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 45-2-21 of the General Laws in Chapter 45-2 entitled "General
2 Powers" is hereby amended to read as follows:

3 **45-2-21. ~~City of Cranston -- Municipal court~~ City of Cranston -- Municipal court --**
4 **Housing division.**

5 (a) Establishment. The city council of the city of Cranston may establish a municipal court
6 and confer upon the court original jurisdiction notwithstanding any other provisions of the general
7 laws to hear and determine causes involving violation of any ordinance of the city including all
8 minimum housing violations of the city; provided, that any defendant found guilty of any offense
9 excluding minimum housing violations within the jurisdiction thereof by the court, may, within
10 five (5) days of the conviction, file an appeal from the conviction to the superior court and be
11 entitled in the latter court to a trial de novo; provided, that any defendant found guilty of any
12 minimum housing violation may, within five (5) days of the conviction, file an appeal from the
13 conviction to the district court and be entitled in the latter court to a trial de novo in accordance
14 with §§ 8-8-3(a)(2), 8-8-3.1, and 8-8-3.2. The city council of the city of Cranston may also establish
15 a municipal housing division (hereinafter, "housing division") within the municipal court in
16 accordance with subsection (e) of this section.

17 (b) Judges, clerks and procedures. The city council of the city of Cranston is authorized
18 and empowered to appoint a judge of the municipal court and a clerk of the municipal court. The
19 city council of the city of Cranston is also authorized to appoint a judge and clerk of the housing

1 division, who may be, but is not required to be, the same person(s) holding the judgeship and
2 clerkship of the municipal court. The city council of the city of Cranston is authorized and
3 empowered to enact ordinances governing the operation and procedure to be followed in the court
4 and the housing division and to establish a schedule of fees and costs.

5 (c) Operation, management, and powers of the municipal court. The municipal court may
6 impose a sentence not to exceed thirty (30) days in jail and impose a fine not in excess of five
7 hundred dollars (\$500), or both. The court is empowered to administer oaths, compel the attendance
8 of witnesses, and punish persons for contempt.

9 (d) Operation, management, and powers of the housing division. The Cranston city council
10 is authorized and empowered to enact ordinances governing the personnel, operation, and
11 procedure to be followed in the housing division, and to establish a schedule of fees and costs, and
12 to otherwise provide for the operation and management of the housing division. The Cranston city
13 council may authorize the housing division impose a sentence not to exceed thirty (30) days in jail
14 and to impose fines not in excess of five hundred dollars (\$500), or both. The housing division may
15 also be empowered to:

- 16 (1) Administer oaths;
17 (2) Compel the attendance of witnesses; and
18 (3) Punish persons for contempt.

19 (e) Municipal housing division establishment and jurisdiction.

20 (1) The city council of the city of Cranston may establish a housing division within the
21 municipal court, and confer upon the housing division original jurisdiction, notwithstanding any
22 other provisions of the general laws, to hear and determine causes involving the violation of the
23 zoning ordinances of the city and any violation of the provisions of chapter 24 of this title (“zoning
24 ordinances”); any violation of chapter 24.1 of this title (“historical area zoning act”); any violation
25 of chapter 24.2 of this title (“minimum housing standards”); any violation of chapter 24.3 of this
26 title (“housing maintenance and occupancy code”); any violation of chapter 23 of this title
27 (“subdivision of land”); any violation of any local Cranston ordinance or regulation, enacted
28 pursuant to these chapters; and any violation of the provisions of chapter 27.3 of title 23 (“state
29 building code”); and any violation of the provisions of those regulations promulgated by the state
30 building code commission entitled SBC-I Rhode Island state building code; SBC-2 Rhode Island
31 state one- and two-family (2) dwelling code; SBC-3 Rhode Island state plumbing code; SBC-4
32 Rhode Island state mechanical code; SBC-5 Rhode Island state electrical code; SBC-6 state
33 property maintenance code; SBC-8 Rhode Island state energy conservation code; and SBC-20
34 Rhode Island state fuel and gas code; and provided, further, that any party aggrieved by a final

1 judgement, decree, or order of the Cranston housing division may, within twenty (20) days after
2 entry of this judgment, decree, or order, file an appeal to the superior court and be entitled in the
3 latter court to a trial de novo.

4 (2) With respect to violations falling under the jurisdiction of the Cranston housing
5 division, as outlined in subsection (e)(1) of this section, the city council may also confer upon the
6 housing division, in furtherance of the court's jurisdiction, the power to proceed according to
7 equity:

- 8 (i) To restrain, prevent, enjoin, abate, or correct a violation;
- 9 (ii) To order the repair, vacation, or demolition of any dwelling existing in violation;
- 10 (iii) To otherwise compel compliance with all of the provisions of the ordinances and
11 statutes; and
- 12 (iv) To order a dwelling into receivership and to order the removal of any cloud on the title
13 to the building or property that shall be binding upon all those claiming by, through, under; or by
14 virtue of any inferior liens or encumbrances pursuant to chapter 44 of title 34.

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

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
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RELATING TO TOWNS AND CITIES -- GENERAL POWERS

- 1 This act would authorize the city of Cranston to establish a housing division within its
- 2 municipal court.
- 3 This act would take effect upon passage.

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