

TOWN OF WEST WARWICK

ORDINANCE

OF THE

TOWN COUNCIL

ORDINANCE NO. 2021-15

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE TOWN OF WEST WARWICK BY ADDING THERETO CHAPTER 10, LICENSES AND BUSINESS REGULATIONS, ARTICLE XV NON—RESIDENT LANDLORDS.

WHEREAS: Whereas it has been determined that there are numerous units of rental property located within the Town of West Warwick, which properties are owned by landlords that are not residents of the State of Rhode Island, and

WHEREAS: Whereas the General Laws of the State of Rhode Island, §34 – 18 – 22.3 require that any landlord that is not a resident of the state designate and continuously maintain an agent upon whom service may be made of any process, notice or demand required or permitted by law to be served, including, but not limited to, notices of minimum housing code violations, and

WHEREAS: Whereas said section further provides that the landlord’s designation of resident agent be filed with the clerk of the municipality in which such property is located, and

WHEREAS: Whereas said section further provides that upon failure to provide such written designation shall be subject to civil fines payable to the municipality,

NOW, THEREFORE, THE TOWN OF WEST WARWICK HEREBY ORDAINS, that pursuant to provisions of the General Laws of the State of Rhode Island, Section 34 – 18 – 22.3, the Town Council of the Town of West Warwick hereby amends the Code of Ordinances of the Town of West Warwick by adding CHAPTER 10, LICENSES AND BUSINESS REGULATIONS, ARTICLE XV, NON—RESIDENT LANDLORDS, which reads as follows:

ARTICLE XV, NON—RESIDENT LANDLORDS,

A landlord who is not a resident of this state shall designate and continuously maintain an agent upon whom service may be made of any process, notice, or demand required or permitted by law to be served, including, but not limited to, notices of minimum housing code violations. The agent shall be a resident of this state or a corporation authorized to do business in this state. The landlord's designation shall be in writing, shall include the name and address of the agent, shall include the street address of each property designated to the agent, and shall

be filed with the West Warwick town clerk. Any landlord who fails to comply with the requirements of this section shall be subject to a civil fine of one hundred dollars (\$100) per month up to a maximum of one thousand two hundred dollars (\$1,200) in a calendar year or if the monthly rent exceeds one thousand two hundred dollars (\$1,200), the civil fine shall be one month's rent for the calendar year, payable to the Town of West Warwick.

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POSTED: OCTOBER 1, 2021

FIRST READING AT COUNCIL MEETING ON: OCTOBER 5, 2021

SECOND READING AT COUNCIL MEETING ON: OCTOBER 19, 2021

COUNCIL PRESIDENT: David Corradini Jr.

TOWN CLERK: Janet Rapose

ADVERTISED IN: KENT COUNTY DAILY TIMES

THIS ORDINANCE WILL TAKE EFFECT ON: NOVEMBER 16, 2021