

# Notice To Newport Tenants

The following summarizes those pertinent provisions of the City of Newport ordinances that a resident of the city should be familiar with and is expected to abide. This notice shall be posted in plain view and in a conspicuous place within the rental dwelling unit. The posting of this notice, as described above, shall constitute compliance with section 15.16.090 of the Newport City Code, Chapter 15.16, rental dwellings. Anyone who desires to review the entire ordinances referenced herein may do so in the office of the City Clerk at Newport City Hall.

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## TRASH COLLECTION AND RECYCLING

Sanitary Services Corporation (847-8858) perform trash and recycling collections for the City of Newport. Trash and recyclable objects are collected once a week at curbside. In a week with a holiday, all collections following said holiday will be delayed by one day. All material to be collected must be placed at curbside by 6 A.M. The following items are included in the mandatory-recycling program.

### These Items Go In Your Blue Bin

ALUMINUM & TIN CANS (INCLUDING EMPTY AEROSOL & PAINT CANS), GLASS BOTTLES AND JARS, #1 AND #2 PLASTIC, E.G., SODA BOTTLES, MILK JUGS, DETERGENT BOTTLES, AS WELL AS MILK, JUICE, AND DRINK BOXES. (Should a bin become missing, a replacement can be purchased at City Hall in the Collection's Office.)

### These Items Go In Paper Bags On Top Or Bundled Next To Your Blue Bin:

NEWSPAPERS, MAGAZINES, OFFICE PAPER, JUNK MAIL, PHONE BOOKS, CEREAL BOX THIN-TYPE CARDBOARD (FLATTENED), CARDBOARD BOXES FLATTENED & BUNDLES, AND USED CLOTHING IN PLASTIC BAGS PUT ALONGSIDE YOUR BLUE BIN.

BULKY WASTE is collected on the residents' regularly scheduled collection day and must also be out at curbside by 6 A.M. Note well: For large items and tires, appointments for pickup are needed 24 hours in advance. Any changes in the collection schedule as a result of holidays or unforeseen emergencies shall be publicized over radio station WADK or in the Newport Daily News. Failure to comply with the trash and recycling requirements and/or the accumulation of trash on a property so as to become a nuisance are punishable in Municipal Court by a fine of up to \$500. (Newport City Code, Chapter 8.24, Solid Waste Management; Chapter 8.16, Nuisances)

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## ANIMALS

A resident of the City of Newport who owns a dog that is more than six months old is required to license said dog. Upon presentation of a rabies certificate showing that the dog has had a valid rabies vaccination, a license and tag will be issued by the City Clerk's office. The tag is to be affixed to the dog's collar. It is a violation for a resident to own a dog, which is not licensed, collared and tagged. Dogs are not permitted on city streets, sidewalks, and public areas unless properly leashed. In addition, dogs are not permitted on school premises at any time, or on public beaches

between Memorial Day and Labor Day. It is also illegal to knowingly permit any animal to defecate on any sidewalk, park, public place, or the private property of others. It is the owner's responsibility to clean up after his/her animal. The City's Animal Control Officer and/or police officers enforce these ordinance restrictions. Violations of the various City restrictions may result in a summons to Newport Municipal Court, with a possible fine of up to \$500. Where it is necessary to impound an animal, the owner shall bear all such costs. (Newport City Code, Chapter 6.08, Animal Control Regulations)

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### **DWELLING OCCUPANCY LIMITS**

The Newport Zoning Ordinance limits the number of unrelated individuals who may reside in a dwelling unit to five (5). Any number of unrelated individuals greater than five constitutes an ordinance violation under the jurisdiction of the Newport Municipal Court and a possible fine of up to \$500. (Newport City Code, Title 17)

Minimum Housing Code standards also require a minimum in room size of 50-square feet per person for any room to be used for sleeping purposes. (Newport City Code, Chapter 15.12.160, Minimum Space, Use and Location Requirements)

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### **RESIDENTIAL PARKING PROGRAM**

The City of Newport has a Residential Parking Program (Sticker Parking) on certain city streets that operates from May 1 through October 1. Each of the streets included in the program is signed to indicate that residential parking permit regulations apply. For most streets within the Program, especially in the downtown area, parking is limited to vehicles displaying a Residential Parking Permit from 6:00 P.M. to 6:00 A.M. of the following day. For limited areas in the southern and southeast sections of the City (in the vicinity of Bailey's and Easton's Beaches), the restricted hours are 6:00 A.M. to 6:00 P.M. on Saturdays, Sundays, and holidays.

A one-year Residential Parking Permit may be purchased at the City Hall Collections Office, 8:30 A.M. to 4:45 P.M., Monday through Friday. The fee is \$2.00. Any resident over the age of 16 may apply for a residential parking permit for a non-commercial vehicle. Commercial vehicles not exceeding 6,800 pounds in weight are eligible for stickers, provided such commercial vehicle is the only form of transportation available to and from work. A resident is defined as any person, firm or corporation who or which lives, resides, or pays real property taxes to the City of Newport for real estate or on a structure approved for residential or commercial occupancy, and who or which is the owner of such structure or a tenant therein, or who or which can demonstrate some other indication of exclusive right of occupancy. For this purpose, tenancy refers only to a formal lease of six months' duration or longer.

In order to obtain a Residential Parking Permit, a driver's license and vehicle registration must be presented, along with a completed application form. Regardless of any ordinance provision, a residential parking permit shall not be issued to any resident who owes the City of Newport outstanding payments for parking violations, fines, or costs for motor-vehicle related violations, fines, or excise taxes. The fee shall not be prorated and no portion of any fee shall be refundable. The permit shall also authorize two continuous hours of free parking daily in the Mary Street Parking Lot.

One (1) "general visitor" pass per dwelling unit on a residential parking street will be issued to the property owner or his/her written designee. In addition, a daily temporary residential parking permit may be purchased by a resident for a bona fide visitor to a dwelling unit. These passes are issued only to the property owner or his/her written designee.

A parking permit shall not serve as a guarantee or reservation of a parking space, nor shall it excuse the observance of any traffic or parking regulation. No holder of a residential parking permit shall use such permit when said holder no longer fulfills the applicable provisions of this ordinance controlling the issuance of permits. No person shall represent that a vehicle is entitled to a parking permit when it is not. No person shall display a parking permit on a vehicle that does not qualify for a permit. No person shall duplicate, attempt to duplicate, or display a duplicate permit.

A Residential Parking Permit must be permanently affixed to the front windshield, lower left corner of driver's side of the vehicle for which it is issued. Failure to display a residential parking permit, as described above, shall be deemed a violation of the provisions of the Residential Parking Program.

The parking of a vehicle on which a residential parking permit is not displayed during the applicable hours of enforcement shall result in a fine of \$20.00. Violations of this and all other provisions of the Residential Parking Program shall be subject to the jurisdiction of the Newport Municipal Court. The parking citation of \$20, as referenced above, shall double in amount if not paid within two weeks, and triple if not paid within four weeks. A hearing in Newport Municipal Court may be requested if an individual wishes to contest the citation that was issued.

In addition to any penalties outlined herein, the City Manager shall have the responsibility and authority to revoke the residential parking permit of any resident for the abuse of a residential parking permit or for the use of a permit in a manner contrary to any of the ordinance provisions. (Newport City Code, Chapter 10.32, Residential Parking Program)

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## **NOISE**

It is the declared policy of the City of Newport to promote an environment free from excessive noise that degrades the quality of life of the city and its residents. No person shall make any such noise that creates a noise disturbance. A noise disturbance consists of any sound which exceeds decibel levels established by ordinance; the making, creating or permitting of any unreasonably loud, disturbing or unnecessary noise; the making, creating or permitting of any noise of such character, intensity or duration as to be detrimental to the life, health, or welfare of any individual, or which either steadily or intermittently annoys, disturbs, injures, or endangers the comfort, repose, peace or safety of any individual. The ordinance also prohibits the following, if done in excess as to cause a noise disturbance; the repair or testing of a motorcycle; the playing of a musical instrument; the operation or playing of any radio, television, phonograph, or other sound-amplifying equipment. The operation of automobiles, motorcycles, motorboats, and recreational vehicles must likewise be conducted within reasonable noise levels. Every motor vehicle, motorboat, and motorcycle shall at all times be equipped with a muffler in good working order. It is illegal to modify or tamper with the exhaust system of such vehicles. Citations for a disturbance may also result due to barking dogs or an unattended alarm system that is unregulated. Should the police need to respond to a party on the complaint of excessive noise that is in violation of the ordinances, the individual(s) involved will be issued a summons into Newport Municipal Court. If the owner of a property is present during the existence of a violation and it is impossible to determine the violator, the owner of the property shall be presumed responsible for the violation.

In the absence of the owner, the tenant(s), or any person present with the direct consent of the owner, shall be held responsible for the violation. The Newport Police may take an individual into custody as a result of a noise violation. Under the provision of the City's Noise Ordinance, no person shall do either of the following; (1) keep a disorderly house or place of public resort whereby the peace, comfort or decency of a neighbor is habitually disturbed; or (2) being the owner or in control of the premises, to intentionally permit them to be so used. For purposes of this ordinance, a disorderly house is defined as a residence or dwelling in which two noise disturbances resulted in convictions in the Municipal Court within a period of twelve (12) months or less. The owner of such residence or dwelling may assert as a defense reasonable efforts to take action against the perpetrator of the violation of this Chapter, including the initiation of eviction proceedings pursuant to Rhode Island General Laws.

Any person convicted in Municipal Court of a noise disturbance violation is subject to possible imprisonment or a fine of up to \$500. A noise disturbance between the hours of 11:00 P.M. and 7:00 A.M. of the following day carries a fine of not less than \$300, or imprisonment of not more than 30 days, or both, plus the costs of prosecution for each offense. In addition to the prohibitions against Disorderly Conduct under the Noise Abatement Ordinance, no person acting alone or in concert with others shall yell, shout, hoot, whistle, sing, make or cause to be made any other noise on the public streets, particularly between the hours of 11:00 P.M. and 7:00 A.M. of the following day, or at any other time or at any place so as to annoy or disturb the quiet, comfort or repose of any person in any hospital, dwelling, hotel, or other type of residence, or of any person in the vicinity. (Newport City Code, Chapter 9.04.050, Disorderly Conduct) The Newport Zoning Ordinance also prohibits noise which is objectionable due to volume, intermittence, beat frequency, or shrillness, including noise which results in one or more convictions for a noise disturbance, as defined in Chapter 8.12, and occurring on premises on which the owner does not reside, which is transmitted outside the property on which it originates. The owner of the premises on which a noise disturbance results in a conviction, as defined in Chapter 8.12, may assert as a defense reasonable efforts to take action against the perpetrator(s) of the violation of the noise ordinance, including the initiation of eviction proceedings, pursuant to the Rhode Island General Laws. (Newport City Code, Title 17)