

1/5/01 9:51 AM

**TOWN OF WEST WARWICK**

**ORDINANCE NO. 2001-2**

**AN ORDINANCE ADDING ARTICLE IV, SECTIONS 18.1 AND 18.2 IN  
CHAPTER 18 OF THE WEST WARWICK CODE OF ORDINANCES –  
DELINQUENT TAXPAYERS**

**WHEREAS;** the Town currently has no restrictions related to providing contractual benefits or licenses to delinquent tax payers; and

**WHEREAS;** the Town should not be benefiting those taxpayers that are not current on their required tax or other payments to the Town of West Warwick;

**NOW, THEREFORE, IT IS HEREBY ORDAINED** to amend Chapter 18 of the Code of Ordinances for the Town of West Warwick by adding Article IV, Sections 18.1 and 18.2 as follows:

**ARTICLE IV - TAXPAYERS, DELIQUENT**

**Sec. 18.1. Taxpayers, Delinquent - Contracts**

The Town of West Warwick will not enter into any contract or agreement to purchase services or equipment from any person, corporation or business enterprise who has neglected or refused to pay any local taxes, fees, assessments, betterments or any other municipal charges assessed against the business property owned by such person, corporation or business enterprise; or with respect to any activity, event or other matter which is the subject of such license or permit, and which activity, event or matter is carried out or exercised or is to be carried out or exercised on or about the business real estate whose owner has neglected or refused to pay any local taxes, fees, assessments, betterments or any other municipal charges assessed against the business real estate.

**Sec. 18.2. Taxpayers, Delinquent - Licenses and Permits**

A. The Town of West Warwick may deny any application for or revoke or suspend any local license or permit, including renewals and transfers, issued by any board, officer or department for any

person, corporation or business enterprise who has neglected or refused to pay any local taxes, fees, assessments, betterments or any other municipal charges, or with respect to any activity, event or other matter which is the subject of such license or permit and which activity, event or matter is carried out or exercised or is to be carried out or exercised on or about real estate whose owner has neglected or refused to pay any local taxes, fees, assessments, betterments or any other municipal charges.

- (1) The Tax Collector or other municipal official responsible for records of all municipal taxes, assessments, betterments and other municipal charges, hereinafter referred to as the "Tax Collector," shall annually furnish to each department, board, commission or division, hereinafter referred to as the "licensing authority," that issues licenses or permits, including renewals and transfers, a list of any person, corporation or business enterprise, hereinafter referred to as the "party," that has neglected or refused to pay any local taxes, fees, assessments, betterments or other municipal charges for not less than a twelve-month period, and that has not filed in good faith a pending application for an abatement of such tax or a pending petition before the Board of Assessment Review.
  
- (2) The licensing authority may deny, revoke or suspend any license or permit, including renewals and transfers, of any party whose name appears on said list furnished to the licensing authority by the Tax Collector or with respect to any activity, event or other matter which is the subject of such license or permit and which activity, event or matter is carried out or exercised or is to be carried out or exercised on or about real estate owned by any party whose name appears on said list furnished to the licensing authority by the Tax Collector; provided, however, that written notice is given to the party by the Town Clerk as required by applicable provisions of law, and the party is given a hearing before the West Warwick Town Council as the Town's Licensing Authority, to be held not earlier than fourteen (14) days after said notice. Said list shall be prima facie evidence for denial, revocation or suspension of said license or permit to any party. The Tax Collector shall have the right to intervene in any hearing made by the licensing authority with respect to such license denial, revocation or suspension. Any findings made by the licensing authority with respect to such license denial, revocation or suspension shall be made only for the purposes of such a

proceeding and shall not be relevant to or introduced in any other proceeding at law, except for any appeal from such license denial, revocation or suspension. Any license or permit denied, suspended or revoked under this section shall not be reissued or renewed until the licensing authority receives a certificate issued by the Tax Collector that the party is in good standing with respect to any and all local taxes, fees, assessments, betterments or other municipal charges, payable to the municipality as the date of issuance of said certificate.

- (3) Any party shall be given a one time opportunity to enter into a payment agreement, thereby allowing the licensing authority to issue a certificate indicating said limitations to the license or permit; and the validity of said license shall be conditioned upon the satisfactory compliance with said agreement. The structure of the payment agreement will be at the sole discretion of the Tax Collector. Failure to comply with said agreement shall be grounds for the suspension or revocation of said license or permit; provided, however, that the holder be given notice and a hearing as required by applicable provisions of law.
- (4) The Town Council may waive such denial, suspension or revocation if it finds that there is no direct or indirect business interest by the property owner, its officers or stockholders, if any, or members of his immediate family, in the business or activity conducted in or on said property.

B. This section shall not apply to the following licenses and permits:

- (1) Dog licenses.
- (2) Fishing, hunting and trapping licenses.
- (3) Marriage licenses.
- (4) Theatrical events and public exhibition permits.

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**POSTED: JANUARY 12, 2001**

**FIRST READING AT COUNCIL MEETING ON: FEBRUARY 6,  
2001(TABLED)**

**FIRST READING AT COUNCIL MEETING ON: MARCH 6, 2001**

**SECOND READING AT COUNCIL MEETING ON: APRIL 3, 2001**

**DULY ACCEPTED AT COUNCIL MEETING: APRIL 3, 2001**

**COUNCIL PRESIDENT:**

**TOWN CLERK:**

**ADVERTISED IN THE KENT COUNTY TIMES ON APRIL 6,2001**

**THIS ORDINANCE WILL TAKE EFFECT ON APRIL 26,2001**