

LAW OFFICES OF  
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Dated January 12, 1983

O R D I N A N C E

ORDINANCE PROHIBITING THE RECORDING OF LAND  
TRANSFERS IN VIOLATION OF  
ZONING ORDINANCE

Approved: January 12, 1983

WHEREAS, the West Greenwich Zoning Ordinance enacted May 14, 1969, amended October 11, 1978, and amended August 30, 1982, Article I, Section 2 provides in part:

"Except as may be specifically provided herein-after, no land shall be used and no building, structure or sign shall be erected, modified, enlarged or used unless such action conforms to all of the applicable provisions of this ordinance. ..."

and Article VII Section 1B provides in part:

"Neither the area nor the frontage of a lot may be reduced or diminished so that the yards or total lot area shall be less than the minimum requirements prescribed in this ordinance. No required yard or other area of one lot shall be considered as providing the minimum area of frontage required for any other lot. No zoning permit shall be issued to the owner of a lot, the area or frontage of which lot has been made to conform to the minimum requirements prescribed by this ordinance by virtue of having obtained sufficient area or frontage by rendering an adjacent lot sub-standard or more sub-standard either with regard to the minimum area, yard or frontage requirements.



NOW, THEREFORE, in order to assure compliance with the aforesaid provisions of the West Greenwich Zoning Ordinance, be it ordained by the Town Council of West Greenwich, Rhode Island, as follows:

Section 1. The Town Clerk shall immediately notify the Zoning Inspector of the filing of any deed, mortgage, agreement or any other instrument transferring or alienating, or purporting to transfer or alineate, or containing an agreement, promise or requirement to transfer or alienate, any interest in real estate within the Town of West Greenwich. Immediately upon receipt of said notification, the Zoning Inspector shall examine such document to determine whether such transfer or alienation renders or will render the parcel or parcels being transferred, and/or the parcel or parcels from which the parcel or parcels being transferred are severed, in violation of the aforesaid provisions of the West Greenwich Zoning Ordinance.

Section 2. In the event any such deed, mortgage, agreement or any other instrument or document is found by the Zoning Inspector to be in violation of said provisions of the Zoning Ordinance, the Zoning Inspector shall forthwith file in said land records a Notice of Zoning Ordinance Violation in the following form:

STATE OF RHODE ISLAND  
COUNTY OF KENT

TOWN OF WEST GREENWICH

NOTICE OF  
ZONING ORDINANCE VIOLATION

NOTICE IS HEREBY GIVEN THAT THE TRANSFER OR  
PROPOSED TRANSFER SET FORTH IN AN INSTRUMENT FROM  
to \_\_\_\_\_,  
DATED THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 19\_\_\_\_,  
AND RECORDED IN BOOK NO. \_\_\_\_\_, PAGE NO. \_\_\_\_\_,  
IS IN VIOLATION OF THE PROVISIONS OF THE WEST GREEN-  
WICH ZONING ORDINANCE PROVISIONS REGULATING FRONTAGE  
AND/OR TOTAL LOT AREA.

\_\_\_\_\_  
ZONING INSPECTOR

IN WEST GREENWICH ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 19\_\_\_\_,  
BEFORE ME PERSONALLY APPEARED \_\_\_\_\_, OF \_\_\_\_\_,  
\_\_\_\_\_, IN HIS CAPACITY AS ZONING INSPECTOR  
FOR THE TOWN OF WEST GREENWICH, TO ME KNOWN AND KNOWN BY ME

TO BE THE PARTY EXECUTING THE FOREGOING NOTICE AND  
ACKNOWLEDGED SAID NOTICE, BY HIM EXECUTED, TO BE HIS  
FREE ACT AND DEED.

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NOTARY PUBLIC

Section 3. Pursuant to the terms of Section 34-11-1.2 of the General Laws of Rhode Island, every deed presented for record shall contain or have endorsed upon it the name, residence and/or post office address of the grantee and such address shall be recorded as part of the deed. The Town Clerk shall decline to accept a deed for recording which does not contain such endorsement.

Section 4. The Zoning Inspector shall cause a copy of said notice to be mailed to the transferor or transferee whose names and addresses appear on any such instrument.

Section 5. Any party aggrieved by the application of this ordinance may appeal to the Zoning Inspector pursuant to the provisions of the Zoning Ordinance of the Town of West Greenwich. The final determination of the Zoning Inspector, unless further appealed pursuant to the West Greenwich Zoning Ordinance, shall be final and binding.

Section 6. This Ordinance shall take effect upon passage.