

LOCAL

RI's cities rarely enforce sidewalk snow removal laws. The consequences can be lethal.

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Key Points

Rhode Island may be having less snowy winters, but impassible sidewalks continue to have deadly consequences.

Property owners rarely face consequences for violating the law, and sidewalks on city or state-owned roads may not get cleared at all.

Central Falls, where Mayor Maria Rivera will personally text business owners to remind them to shovel, is one notable exception.

On the morning of Jan. 27, a week after a [winter storm](#), piles of dirty snow blocked the sidewalk in front of a vacant lot on Woonsocket's Hamlet Ave.

That may be why 32-year-old Dena Khan and her four-year-old daughter Eliza were walking in the street.

Around 7 a.m., William Laureano-Benitez, 25, came flying down the hill in a small sedan. According to police, he lost control of the car and slammed into a snowbank before [slamming into the mother and child](#).

Dena, 32, was unconscious when she arrived at Rhode Island Hospital with severe injuries including a fractured leg and broken collarbones and ribs, according to the family's [GoFundMe page](#). But she was able to hold her daughter, who loved the movie "Frozen" and danced wherever she went, before the four-year-old died two days later.

“In 18 years living here I have never seen so many people shoveling the snow on the sidewalks as I did this morning,” one Woonsocket resident observed on Facebook as the city collectively grieved Eliza and lamented her preventable death.

Woonsocket, like many Rhode Island cities, requires property owners to keep sidewalks clear of ice and snow, but rarely enforces those laws. And while certain sidewalks may be the responsibility of a municipality or the state, that’s still no guarantee that they will get cleared.

As a result, getting around on foot – or in a wheelchair or a mobility scooter – can be lethal. And while it [doesn’t seem to snow as much as it used to](#), making it easy to forget about the problem when spring arrives, that’s not much comfort for families like the Khans.

The message, said Sean Sierra-Patev, a safe streets activist who mainly gets around without a car, is “if you walk, you don't count.”

Violating law rarely has consequences

Jim Rizzo, who lives near Globe Park in Woonsocket, wasn’t surprised by the tragedy on Hamlet Avenue.

When he walks his dog around his own neighborhood in the depths of winter, at least half the sidewalks are obstructed by snow and ice, he said.

“We’re pretty much forced to walk in the street,” he said. His children typically walk home from their bus stop after school, but over the winter, he began adjusting his work hours so that he could pick them up instead.

Rizzo also wasn’t surprised to hear that Woonsocket didn’t issue a single citation for uncleared sidewalks in the past five years.

“As we get less snow, it seems to get forgotten,” he said. But that doesn’t mean that the problem has gone away: As temperatures fluctuated this past February,

uncleared snow started to melt and then froze again, encasing the pavement in an unyielding layer of ice for weeks.

Rizzo said he's complained to city councilors, which didn't seem to have any effect. But he did once get a call from City Hall at the end of [No Mow May](#), warning him that his grass was too tall. (Woonsocket said that it only has records of 13 complaints about uncleared sidewalks in the past five years.)

The city's [ordinances](#) technically require property owners to clear their sidewalks within four hours of a snowstorm, or the next morning. Most communities have similar rules, though the details vary.

In Providence, property owners have [eight hours](#) to shovel, and in Central Falls, they have [twelve](#). Warwick offers a generous [72-hour grace period](#), and only requires certain "[priority sidewalks](#)" to be shoveled. Minimum fines for a first offense range from \$25 in Providence to \$50 in Central Falls to \$250 in Cranston.

The Providence Journal requested records regarding sidewalk snow and ice clearance from eight Rhode Island communities. Woonsocket, Warwick, Cranston and West Warwick all indicated that they hadn't issued any citations since the start of 2020.

During that time, East Providence issued 49 citations, Pawtucket issued 241, and Newport issued at least 329. Central Falls, despite its small size, issued almost 5,000.

Providence, the largest city in the state, issued just 106 citations. During that time, the city's 311 system received roughly 450 complaints about obstructed sidewalks. Multiple residents told The Providence Journal that they've given up on filing complaints because it doesn't seem to have any effect.

"They wait a few days until things have melted a little and then say 'your request is complete!' without doing anything," Ethan Caya, who lives in the Valley neighborhood, wrote in an email.

Why aren't cities enforcing sidewalk snow shoveling?

Cities and towns that aren't enforcing their snow clearance ordinances often point out that some homeowners may not have the ability to shovel their sidewalks and can't afford to hire someone else to do it for them.

"There are people who are elderly, sick and infirm," said West Warwick Police Chief Ernest Lavigne. "Those people could be harmed in a somewhat serious way if we start ticketing people who don't have the ability to get that stuff done."

In Cranston, Capt. Donald Robertson said the police department typically contacts property owners and asks them to shovel their sidewalks, rather than slapping them with citations.

The city takes a markedly different approach to [overnight street parking](#), which is illegal year-round, and issued 3,000 tickets for violations in a single year.

"We can't really knock on doors at 3 in the morning," Robertson explained.

In Woonsocket, city officials sometimes reach out to local youth organizations for help shoveling snow from elderly residents' properties, but Mayor Christopher Beauchamp said they rarely issue tickets because snowstorms haven't been heavy in recent years.

"There are many elderly people in the City of Woonsocket that can't shovel their sidewalks for one reason or another," he said. "We do give people tickets, but I don't think it's the norm. I don't know the last time we did it."

Providence's Department of Public Works Director Patricia Coyne-Fague said that following a snowstorm, her department's top priority is ensuring that high-traffic streets are cleared. Those include main roads, hospital complexes, school commutes, trash pickup routes and hilly spots. Sidewalks are a bit further down that list.

“By the next day, that sidewalk could be melted. By the time we get out there maybe nature’s taken care of it,” Coyne-Fague said. “But I actually think the vast majority of residents and property owners in Providence are complying with the rule.”

Can anything be done?

Last year, the Providence Streets Coalition analyzed over a decade’s worth of crashes on North Main Street.

Out of 46 that involved pedestrians, there were two instances in which people were hit by cars while walking in the street because snow was blocking the sidewalks. In one case, the walker died.

“Presumably, there are many more uncounted cases across the city,” said board member Jamie Pahigian.

Pahigian said that he’s “not super sympathetic” to the argument that some property owners don’t have the ability to shovel their sidewalks and can’t afford to pay anyone to help.

In his view, that’s one of the responsibilities that comes with owning a house, like paying the property taxes and sewer bill.

“There are people with physical disabilities who can’t leave their house for weeks at a time, because they use a mobility scooter that can’t navigate the sidewalks when they’re covered with ice,” he pointed out.

Sierra-Patev is also skeptical. On the walk from his Cranston home to the bus stop, he’ll often pass homes where someone has shoveled the driveway and front walk but hasn’t touched the snow on the sidewalk.

“I’m just not familiar with any sort of physical affliction which allows you to shovel your driveway, but prevents you from doing the sidewalk,” he said.

That said, he believes that the burden shouldn't be on property owners at all. And at the very least, people who don't have the ability to shovel should have somewhere they can turn for help. Cities could even recruit volunteers, he said.

In Central Falls, the city pays local youth \$16.50 an hour to shovel senior citizens' sidewalks. About 50 to 60 elderly homeowners are enrolled in the [program](#), which is free.

"You're keeping the youth busy, you're keeping them off the street, you're keeping them occupied, you're getting them engaged with the community," said Mayor Maria Rivera. "The seniors love to have them."

City, state properties also go uncleared

To get to his job on Providence's Capitol Hill, Sierra-Patev typically walks up Canal Street, which runs along the Mossashuck River, or State Street, which runs along the railroad tracks.

In winter, large swaths of sidewalk on both streets routinely go uncleared. And since there are no abutting private property owners, that theoretically leaves the government responsible.

"I get frustrated on my walk in my neighborhood because I wish my neighbors were doing a better job," Sierra-Patev said. "But I get kind of angry on the walk downtown, where I know it's the city or state deciding not to."

Samara Pinto, a spokesperson for Providence Mayor Brett Smiley, said the city is responsible for the river side of Canal Street and railroad side of State Street.

"DPW has been challenged in prior years, before I got here, before Mayor Smiley, where it was under-resourced. We're getting back up to a decent amount of staffing which will allow us to do things that might have fallen off," Coyne-Fague noted.

"That's on my list of things to talk about with our team to prepare for next season."

Coyne-Fague added that [the city's new 311-system](#), which launched last month, will help streamline community feedback. The online portal now allows the city's ticketing officials to alert complainants that their requests have been viewed and are in-progress.

The Rhode Island Department of Transportation is responsible for some of the other sidewalks that often draw complaints, like those bordering North Burial Ground on North Main Street, Pinto indicated. Highway overpasses that connect city neighborhoods, for example, tend to be RIDOT's purview.

Pahigian said that he's complained for years about snow obstructing the sidewalks on Smithfield Avenue, a fast-moving, four-lane road where pedestrians must contend with a high volume of traffic from Interstate 95.

"It's pretty common after a storm to see people walking in the street," Pahigian said. "It just feels like a fatal accident waiting to happen."

RIDOT did not respond to questions for this story, but during a September appearance on [WPRO](#), director Peter Alviti told a caller that the agency does not have the resources "to clear all of the sidewalks, in addition to the roads."

"That has not been our past practice," he said, adding, "It could be done at the expense of tens of millions of dollars of additional spending every year."

'Nobody's problem'

In tiny Central Falls, the Department of Public Works clears sidewalks on state roads as well as city-owned property, said director Tony Viera.

Elsewhere, it can be hard to figure out who's in charge. One classic example is the crosswalk near Whole Foods on North Main Street in Providence, which is bisected by a grassy median with a pedestrian pathway.

Paul Wallace, who works nearby, grew alarmed when the pathway didn't get shoveled during the past two winters, prompting people to walk in the middle of an

extremely dangerous road.

Two busy health centers sit on the west side of the street, opposite a bus stop, he pointed out. As a result, the crosswalk is heavily used by “a lot of folks who may be disabled, or otherwise already face barriers in terms of accessing health care,” he said.

“It feels wrong to me that you’re forcing them to make this unsafe passage across the street,” Wallace said.

Wallace told The Journal that he filed 311 complaints and also tried contacting the Providence mayor’s office, City Council, Department of Public Works, and RIDOT.

“Anyone who responded basically said that it’s not their jurisdiction,” he said. “It’s just sort of nobody’s problem.”

Eventually, a group of random do-gooders shoveled the pathway, “just out of the goodness of their hearts.”

“It was wonderful,” Wallace said. Pinto later confirmed in an email that Providence is, in fact, responsible for the crosswalk.

Central Falls takes proactive approach

Even as Woonsocket held a vigil for Eliza Khan, many sidewalks in the city remained impassible.

In February, attorney Ralph Liguori filed a claim blaming the city for negligence, arguing that the Khans were walking in the road because Woonsocket failed to enforce its own ordinances and ensure the sidewalk was clear.

Woonsocket Police Chief Thomas F. Oates III said there was no snow on the sidewalk on the other side of the road, so it’s not entirely clear why the Khans were walking in the street. The city’s attorneys declined to comment on the claim.

Central Falls, which is hardly a wealthy community, proves that cities can be doing more to keep their residents safe.

Rivera said that a code enforcement officer proactively goes around looking for uncleared sidewalks after snowstorms and will first issue a verbal warning. Rivera also personally texts local business owners if she notices they haven't shoveled yet.

"It's super helpful that the city is only one square mile, but it's also a community where we have a lot of people that are walking," Rivera said. "We want to make sure that we keep it safe."

The city issued about 50 times as many citations as Providence, and Rivera said that's "absolutely" helped get the message across. But she's not eager to penalize people, and uses newsletters and social media to make sure that residents know they need to shovel when it snows.

Newport takes a similar approach. The city's spokesperson, Thomas Shevlin, said that it's a tight-knit community, so the zoning officers who issue tickets tend to know residents personally. They typically give warnings first and then follow up with citations if needed. They also rely on residents using the 311 system to alert the city about violations in areas that might otherwise be overlooked.

"We have hundreds of miles of sidewalks, and we have a very small crew," Shevlin said.

Even though temperatures are a bit milder in coastal areas than inland, Shevlin believes that people shouldn't be relying on nature to clear sidewalks for them.

"Especially in Newport, there is an attitude of: this too shall melt," he said. "I think it's good to be reminded once in a while that we are still in New England, and we do still have winters."

Many of the pedestrians interviewed for this story said they'd like their cities to be more aggressive about issuing fines.

“It does feel like one of those things that just flies under the radar for people who drive everywhere,” Pahigian said. “If you’re not walking, you don’t understand how bad it is.”