



CITY OF MONTECCHIO MAGGIORE

- Province of Vicenza -

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Dasa-Rägister
EN ISO 9001 (2008)
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Organisation with Certified
Quality Management System

ORIGINAL []
COPY []

Sector: Administration

Service: General Director of Administration

Director of Procedure: Dr. Costanzo Bonsanto

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Manner of Dispatch:

Sent in Advance by Fax NO [] YES []

Ref. Incoming Protocol n.

General Ordinance Register n. 166

Montecchio Maggiore, 6 May 2011

Subject: Urgent Ordinance for Immediate Implementation concerning the preparation and communication of public notices drawn up in languages other than Italian.

THE MAYOR

Whereas:

- On 16th April 2011, in Alte Ceccato, a suburb of Montecchio Maggiore with approximately 4,700 extra-communitarian inhabitants, out of a total of 7,500 residents, fifty citizens from Bangladesh, the nation that the majority of foreign citizens comes from, perpetrated a brutal brawl with the use of sticks and iron bars, following which there were several seriously injured persons, who were hospitalised in the intensive care ward at the hospital of Vicenza;
- A similar riot had also occurred a week earlier, on the evening of 10th April, while the defenceless population took refuge in the local Church, which was open for Holy Mass;

Having ascertained from the investigations conducted by the competent organs and Local Police, which are still underway, that the cause of the riots is essentially a clash between two parties of the Bangladesh community, for the predominance over the ethnic population, which consists of about 8,000 people in the Province of Vicenza;

Having noted that the predominance of one group over the other, in addition to "governing" the Bangladesh community, would also allow them to "direct" any legitimate or illicit activity, from which these groups derive their "power and economic profit" among the ethnic community;

In consideration of the fact that this Municipal Administration, with respect to these events, has not been able to programme or foresee any type of preventive control, even through the simple organisation of a patrol service by the Local Police, inasmuch as the information concerning dates and places of meetings or encounters between the various foreign populations is transmitted through billposting of public notices drawn up in the language of the country of origin (there are approximately twenty national languages spoken), it is extremely difficult for the municipal personnel to be aware of the nature and location of the appointments, in order to establish the possibility of risk for the safety of the population and public order and to provide for their protection;

While it does not seem opportune to organise a specific public translation service, due to the high number of languages involved and the excessive costs that would have to be defrayed to become aware of activities that might not even be dangerous;

It is reiterated that such objective difficulties can be overcome by requiring the individual organisers of meetings, appointments and gatherings, for any purpose whatsoever, to communicate to the municipal authorities the contents of the notice they wish to make public;

Having acknowledged that the specific governance of such a disposition through a special municipal regulation cannot be disregarded, and that drawing up and approving such a regulation would necessarily take several months in terms of the administrative procedure involved;

Having noted that there is a state of tension that cannot be underestimated within the local community and the situation is such as to require urgent intervention in order to maintain public law and order, in order to immediately ensure that the police have adequate information on what could take place in the municipal territory, in terms of gatherings or meetings involving a considerable number of persons;

Stressing, therefore, the opportunity to intervene urgently through a specific provision of an immediate and urgent nature, effective only for the period of time necessary, in the interim prior to the approval of a definitive, articulated and stable norm, through the approval of a special regulation by the City Council;

It is therefore considered necessary to require mandatory respect of the following dispositions, until 30th September 2011:

- a) **It is obligatory for all persons**, groups or associations, agricultural, artisan or industrial entrepreneurs, who conduct their business or public concern, or any physical person, who wishes to use a language other than Italian to draw up notices of a public nature, having any content and for the most disparate purposes, through written messages, recorded video or sound messages, in any manner and form and with any advertising means (from a simple poster, sheet or flyer to be displayed on bulletin boards, in authorised spaces, in shop windows or business establishments windows, in the local press or newspapers, radio, television and information technology sites) to be addressed to the population residing in Montecchio Maggiore, or to be held in the territory of the municipality of Montecchio Maggiore, **to communicate** their intention **to the Mayor**, at least seven days prior to the start of the publication, attaching a declaration, drawn up in accordance with Article 47 of Presidential Decree n. 445 of 28 December 2000, with which they communicate the contents of the notice to be divulged, duly translated into the Italian language;
- b) **Violators** of the obligation foreseen under this disposition will be subject to administrative sanctions ranging from a minimum of 50 euros to a maximum of 500 euros, in accordance with Article 7 bis, para. 1 of the Legislative Decree of 18th August 2000, unless said omission constitutes, directly or indirectly, the concrete configuration of any crime, in which case the administration will take action to inform the Judicial Authorities accordingly. In addition to the administrative sanction, if the contents of the notice have not ceased to be current or valid, the cancellation and obligation to publicise such cancellation may be ordered and the expenses will be defrayed by the author of the notice, with removal of the notices from the places where they have been exhibited and/or suspension of transmission of the radio and/or television programme. In the event of failure to comply, the municipality of Montecchio Maggiore will directly order the cancellation, charging the expenses to the violator;
- c) **The sanctions** will also be charged to establishments or businesses, newspapers, television stations and websites that have publicised the notices drawn up in languages other than Italian, without having ascertained if the City of Montecchio Maggiore had been previously informed;

It is reiterated that the City of Montecchio Maggiore is competent to adopt urgent provisions for immediate implementation, in accordance with Article 54, para. 4 of Legislative Decree n. 267 dated 8th August 2000 and the Ministry of the Interior Decree dated 05.08.2008; it is intended, with this provision, to influence and debilitate the causes of the riots between the populations of extra communitarian citizens residing in Alte Ceccato, which has seriously prejudiced public safety and the physical integrity of citizens;

Having acknowledged that this provision was communicated to the Prefect of Vicenza in advance, with a note bearing protocol n.15341 dated 24 May 2011, which acknowledged receipt with their note dated 27 May 2007, received with municipal protocol n. 15962 of 30.05.2011;

IT IS HEREBY ORDERED

Effective from the date of publication of this provision and valid until the 30th of September 2011:

a) It is obligatory for all persons, groups or associations, agricultural, artisan or industrial entrepreneurs, who conduct their business or public concern, or any physical person, who wishes to use a language other than Italian to draw up notices of a public nature, having any content and for the most disparate purposes, through written messages, recorded video or sound messages, in any manner and form and with any advertising means (from a simple poster, sheet or flyer to be displayed on bulletin boards, in authorised spaces, in shops or public concern windows, in the local press or newspapers, radio, television and information technology sites) to be addressed to the population residing in Montecchio Maggiore, or to be held in the territory of the municipality of Montecchio Maggiore, **to communicate** their intention **to the Mayor**, at least seven days prior to the start of the publication, attaching a declaration, drawn up in accordance with Article 47 of Presidential Decree n. 445 of 28 December 2000, with which they communicate the contents of the notice to be divulged, duly translated into the Italian language;

b) Violators of the obligation foreseen under this disposition will be subject to administrative sanctions ranging from a minimum of 50 euros to a maximum of 500 euros, in accordance with Article 7 bis, para. 1 of the Legislative Decree of 18th August 2000, unless said omission constitutes, directly or indirectly, the concrete configuration of any crime, in which case the administration will take action to inform the Judicial Authorities accordingly. In addition to the administrative sanction, if the contents of the notice have not ceased to be current or valid, the cancellation and obligation to publicise such cancellation may be ordered and the expenses will be defrayed by the author of the notice, with removal of the notices from the places where they have been exhibited and/or suspension of transmission of the radio and/or television programme. In the event of failure to comply, the municipality of Montecchio Maggiore will directly order the cancellation, charging the expenses to the violator;

c) The sanctions will also be charged to establishments or businesses, newspapers, television stations and websites that have publicised the notices drawn up in languages other than Italian, without having ascertained if the City of Montecchio Maggiore had been previously informed;

This Ordinance, previously communicated to the Prefect in accordance with Article 54 of Legislative Decree n. 267 dated 18th August 2000, will be made public through posting on the Municipal Notice Board and will be immediately effective.

A press release will be drawn up and transmitted to local media, communicating that this provision has taken effect and will also be published on the municipal website.

The General Administration Office will be charged with implementation and execution of this provision, while Local Police will be responsible for controlling that such provision is respected by commercial premises, businesses and any other parties involved in the communication of the said advertising material;

A copy of this provision is transmitted to the Territorial Office of the Government at the Prefecture for advice and action concerning their specific competence.

A copy of this Ordinance will also be transmitted to the Commander of the Local Police.

Recourse against this provision may be proposed through the Regional Administrative Court within 60 days from the date of publication on the Municipal Notice Board; alternatively, an extraordinary recourse may be proposed to the President of the Republic within 120 days of its publication.

CB/ndv

The Mayor
Milena Cecchetto