

2010 -- S 2656 SUBSTITUTE A

LC02139/SUB A

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2010

A N A C T

RELATING TO TOWNS AND CITIES

Introduced By: Senators Maselli, and Tassoni

Date Introduced: March 04, 2010

Referred To: Senate Housing & Municipal Government

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 45-23-63.1 of the General Laws in Chapter 45-23 entitled
2 "Subdivision of Land" is hereby amended to read as follows:

3 **45-23-63.1. Procedure -- Tolling of expiration periods.** -- (a) Notwithstanding any
4 other provision set forth in this chapter, all periods pertaining to the expiration of any approval
5 issued pursuant to the local regulations promulgated under this chapter shall be tolled until June
6 30, 2011. For the purposes of this section, "tolling" shall mean the suspension or temporary
7 stopping of the running of the applicable permit or approval period.

8 (b) Said tolling need not be recorded in the land evidence records to be valid; however,
9 a notice of the tolling must be posted in ~~both the municipal planning department, the municipal~~
10 ~~clerk's office, and the office of the recorder of deeds,~~ or near the land evidence records.

11 (c) The tolling shall apply only to approvals or permits in effect on November 9, 2009
12 and those issued between November 9, 2009 and June 30, 2011, at the time of passage and shall
13 not revive expired approvals.

14 (d) The expiration dates for all permits and approvals issued before the tolling period
15 began will be recalculated as of July 1, 2011 by adding thereto the number of days between
16 November 9, 2009 and the day on which the permit or approval would otherwise have expired.
17 The expiration dates for all permits and approvals issued during the tolling period will be
18 recalculated as of July 1, 2011 by adding thereto the number of days between the day the permit
19 or approval was issued and the day the permit or approval otherwise would have expired.

1 SECTION 2. Section 45-24-61.1 of the General Laws in Chapter 45-24 entitled "Zoning
2 Ordinances" is hereby amended to read as follows:

3 **45-24-61.1. Procedure -- Tolling of expiration periods.** -- (a) Notwithstanding any
4 other provision set forth in this chapter, all periods pertaining to the expiration of any approval
5 issued pursuant to the local ordinances promulgated under this chapter shall be tolled until June
6 30, 2011. For the purposes of this section, "tolling" shall mean the suspension or temporary
7 stopping of the running of the applicable permit or approval period.

8 (b) Said tolling need not be recorded in the land evidence records to be valid; however,
9 a notice of the tolling must be posted in the municipal planning department, ~~the municipal clerk's~~
10 ~~office, and the office of the recorder of deeds,~~ or near the land evidence records.

11 (c) The tolling shall apply only to approvals or permits in effect ~~at the time of passage on~~
12 November 9, 2009 and those issued between November 9, 2009 and June 30, 2011 and shall not
13 revive expired approvals.

14 (d) The expiration dates for all permits and approvals issued before the tolling period
15 began will be recalculated as of July 1, 2011 by adding thereto the number of days between
16 November 9, 2009 and the day on which the permit or approval would otherwise have expired.
17 The expiration dates for all permits and approvals issued during the tolling period will be
18 recalculated as of July 1, 2011 by adding thereto the number of days between the day the permit
19 or approval was issued and the day the permit or approval otherwise would have expired.

20 SECTION 3. Section 42-17.1-2.5 of the General Laws in Chapter 42-17.1 entitled
21 "Department of Environmental Management" is hereby amended to read as follows:

22 **42-17.1-2.5. Tolling of expiration periods.** -- (a) Notwithstanding any other provision
23 set forth in this chapter, all periods pertaining to the expiration of any approval or permit issued
24 pursuant to any state statute or any regulation promulgated thereto pertaining to the development
25 of property shall be tolled until June 30, 2011. For the purposes of this section, "tolling" means
26 the suspension or temporary stopping of the running of the applicable permit or approval period.

27 (b) Said tolling need not be recorded in the land evidence records to be valid; however,
28 a notice of the tolling must be posted in the municipal planning department, ~~the municipal clerk's~~
29 ~~office, and the office of the recorder of deeds,~~ or near the land evidence records.

30 (c) The tolling shall apply only to approvals or permits in effect ~~at the time of passage on~~
31 November 9, 2009 and those issued between November 9, 2009 and June 30, 2011 and shall not
32 revive expired approvals or permits.

33 (d) The expiration dates for all permits and approvals issued before the tolling period
34 began will be recalculated as of July 1, 2011 by adding thereto the number of days between

1 November 9, 2009 and the day on which the permit or approval would otherwise have expired.
2 The expiration dates for all permits and approvals issued during the tolling period will be
3 recalculated as of July 1, 2011 by adding thereto the number of days between the day the permit
4 or approval was issued and the day the permit or approval otherwise would have expired.

5 SECTION 4. Section 46-23-6.3 of the General Laws in Chapter 46-23 entitled "Coastal
6 Resources Management Council" is hereby amended to read as follows:

7 **46-23-6.3. Tolling of expiration periods.** -- (a) Notwithstanding any other provision set
8 forth in this chapter, all periods pertaining to the expiration of any approval or permit issued
9 pursuant to any state statute or any regulation promulgated thereto pertaining to the development
10 of property shall be tolled until June 30, 2011. For the purposes of this section, "tolling" means
11 the suspension or temporary stopping of the running of the applicable permit or approval period.

12 (b) Said tolling need not be recorded in the land evidence records to be valid; however,
13 a notice of the tolling must be posted in the municipal planning department; ~~the municipal clerk's~~
14 ~~office, and the office of the recorder of deeds~~ near the land evidence records.

15 (c) The tolling shall apply only to approvals or permits in effect ~~at the time of passage on~~
16 November 9, 2009 and those issued between November 9, 2009 and June 30, 2011, and shall not
17 revive expired approvals or permits.

18 (d) The expiration dates for all permits and approvals issued before the tolling period
19 began will be recalculated as of July 1, 2011 by adding thereto the number of days between
20 November 9, 2009 and the day on which the permit or approval would otherwise have expired.
21 The expiration dates for all permits and approvals issued during the tolling period will be
22 recalculated as of July 1, 2011 by adding thereto the number of days between the day the permit
23 or approval was issued and the day the permit or approval otherwise would have expired.

24 SECTION 5. This act shall take effect upon passage and shall apply to approvals and
25 permits in effect on November 9, 2009 and those issued between November 9, 2009 and June 30,
26 2011, and shall not revive any expired approval or permit.

LC02139/SUB A

EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T
RELATING TO TOWNS AND CITIES

1 This act would address expiration periods pertaining to any approval or permit issued
2 pursuant to any state law.

3 This act would take effect upon passage and would apply only to approvals and permits
4 in effect on November 9, 2009 and those issued between November 9, 2009 and June 30, 2011,
5 and would not revive any expired approval or permit.

=====
LC02139/SUB A
=====