

Chapter 198
2009 -- S 0754 SUBSTITUTE A AS AMENDED
Enacted 11/09/09

A N A C T
RELATING TO TOWNS AND CITIES

Introduced By: Senator Christopher B. Maselli

Date Introduced: February 26, 2009

It is enacted by the General Assembly as follows:

SECTION 1. Legislative findings. The general assembly hereby finds that the current economic conditions in the real estate market demonstrate that there is little or no demand for new construction. In addition, the banking crisis has made it extremely difficult for real estate developers to obtain financing for new real estate construction. Currently, there are real estate developers who have expended substantial amounts of money to obtain permits and approvals from various local and state agencies. Many of the permits and approvals will expire prior to an improvement in the economy and the financial and banking industries. Therefore, the best long-term solution is to extend the time by which such permits and approvals will expire until the marketing and financing conditions improve as to provide an opportunity for such real estate developers to obtain the financing necessary to complete the projects for which the permits and approvals were obtained.

SECTION 2. Chapter 45-23 of the General Laws entitled "Subdivision of Land" is hereby amended by adding thereto the following section:

45-23-63.1. Procedure -- Tolling of expiration periods. -- (a) Notwithstanding any other provision set forth in this chapter, all periods pertaining to the expiration of any approval issued pursuant to the local regulations promulgated under this chapter shall be tolled until June 30, 2011.

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

(c) The tolling shall apply only to approvals or permits in effect at the time of passage and shall not revive expired approvals.

SECTION 3. Chapter 45-24 of the General Laws entitled "Zoning Ordinances" is hereby amended by adding thereto the following section:

45-24-61.1. Procedure -- Tolling of expiration periods. -- (a) Notwithstanding any other provision set forth in this chapter, all periods pertaining to the expiration of any approval issued pursuant to the local ordinances promulgated under this chapter shall be tolled until June 30, 2011.

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

(c) The tolling shall apply only to approvals or permits in effect at the time of passage and shall not revive expired approvals.

SECTION 4. Chapter 42-17.1 of the General Laws entitled "Department of Environmental Management" is hereby amended by adding thereto the following section:

42-17.1-2.5. Tolling of expiration periods. – (a) Notwithstanding any other provision set forth in this chapter, all periods pertaining to the expiration of any approval or permit issued pursuant to any state statute or any regulation promulgated thereto pertaining to the development of property shall be tolled until June 30, 2011.

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

(c) The tolling shall apply only to approvals or permits in effect at the time of passage and shall not revive expired approvals or permits.

SECTION 5. Chapter 46-23 of the General Laws entitled "Coastal Resources Management Council" is hereby amended by adding thereto the following section:

46-23-6.3. Tolling of expiration periods. – (a) Notwithstanding any other provision set forth in this chapter, all periods pertaining to the expiration of any approval or permit issued pursuant to any state statute or any regulation promulgated thereto pertaining to the development of property shall be tolled until June 30, 2011.

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

(c) The tolling shall apply only to approvals or permits in effect at the time of passage and shall not revive expired approvals or permits.

SECTION 6. This act shall take effect upon passage and shall apply only to approvals and permits in effect at the time of passage and shall not revive any expired approval or permit.

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LC01482/SUB A
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Chapter 199
2009 -- H 5686 SUBSTITUTE A
Enacted 11/09/09

A N A C T
RELATING TO TOWNS AND CITIES

Introduced By: Representatives San Bento, DaSilva, Shallcross Smith, and Corvese
Date Introduced: February 25, 2009

It is enacted by the General Assembly as follows:

SECTION 1. Legislative findings. The general assembly hereby finds that the current economic conditions in the real estate market demonstrate that there is little or no demand for new construction. In addition, the banking crisis has made it extremely difficult for real estate developers to obtain financing for new real estate construction. Currently, there are real estate developers who have expended substantial amounts of money to obtain permits and approvals from various local and state agencies. Many of the permits and approvals will expire prior to an improvement in the economy and the financial and banking industries. Therefore, the best long-term solution is to extend the time by which such permits and approvals will expire until the marketing and financing conditions improve as to provide an opportunity for such real estate developers to obtain the financing necessary to complete the projects for which the permits and approvals were obtained.

SECTION 2. Chapter 45-23 of the General Laws entitled "Subdivision of Land" is hereby amended by adding thereto the following section:

45-23-63.1. Procedure -- Tolling of expiration periods. -- (a) Notwithstanding any other provision set forth in this chapter, all periods pertaining to the expiration of any approval issued pursuant to the local regulations promulgated under this chapter shall be tolled until June 30, 2011.

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

SECTION 3. Chapter 45-24 of the General Laws entitled "Zoning Ordinances" is hereby amended by adding thereto the following section:

45-24-61.1. Procedure -- Tolling of expiration periods. -- (a) Notwithstanding any other provision set forth in this chapter, all periods pertaining to the expiration of any approval issued pursuant to the local ordinances promulgated under this chapter shall be tolled until June 30, 2011.

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

SECTION 4. Chapter 42-17.1 of the General Laws entitled "Department of Environmental Management" is hereby amended by adding thereto the following section:

42-17.1-2.5. Tolling of expiration periods. -- (a) Notwithstanding any other provision set forth in this chapter, all periods pertaining to the expiration of any approval or permit issued pursuant to any state statute or any regulation promulgated thereto pertaining to the development

of property shall be tolled until June 30, 2011.

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

SECTION 5. Chapter 46-23 of the General Laws entitled "Coastal Resources Management Council" is hereby amended by adding thereto the following section:

46-23-6.3. Tolling of expiration periods. – (a) Notwithstanding any other provision set forth in this chapter, all periods pertaining to the expiration of any approval or permit issued pursuant to any state statute or any regulation promulgated thereto pertaining to the development of property shall be tolled until June 30, 2011.

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

SECTION 6. This act shall take effect upon passage and shall apply only to approvals and permits in effect at the time of passage and shall not revive any expired approval or permit.

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LC01859/SUB A
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