

2014 -- S 2722

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2014

A N A C T

RELATING TO TOWNS AND CITIES - ZONING ORDINANCES

Introduced By: Senators Jabour, Metts, Ruggerio, Miller, and Goodwin

Date Introduced: March 05, 2014

Referred To: Senate Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 45-24-65 of the General Laws in Chapter 45-24 entitled "Zoning
2 Ordinances" is hereby amended to read as follows:

3 **45-24-65. Appeals -- Stay of proceedings.** -- An appeal shall stay all proceedings in
4 furtherance of the action appealed from, unless the zoning enforcement officer or agency from
5 whom the appeal is taken certifies to the zoning board of review, after an appeal has been filed,
6 that by reason of facts stated in the certificate a stay would in the officer's or agency's opinion
7 cause imminent peril to ~~life or property~~ the public health, safety, or welfare, and/or would cause a
8 substantial economic burden to the applicant. In ~~that case~~ such cases, proceedings shall not be
9 stayed other than by a restraining order, which may be granted by a court of competent
10 jurisdiction on application and upon notice to the officer or agency from whom the appeal is
11 taken on due cause shown.

12 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
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1 This act would authorize a municipal zoning enforcement officer or agency to lift the
2 automatic stay pending appeal where the stay would cause imminent peril to the public health,
3 safety or welfare, or would cause a substantial economic burden to the applicant.

4 This act would take effect upon passage.

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