

2019 -- H 5782

LC000043

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2019

A N A C T

RELATING TO PROPERTY

Introduced By: Representative James N. McLaughlin

Date Introduced: February 28, 2019

Referred To: House Municipal Government

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 34-36.1-1.06 of the General Laws in Chapter 34-36.1 entitled
2 "Condominium Law" is hereby amended to read as follows:

3 **34-36.1-1.06. Applicability of local ordinances, regulations, and building codes.**

4 A zoning, subdivision, building code, or other real estate use law, ordinance, or
5 regulation may not prohibit the condominium form of ownership or impose any requirement upon
6 a condominium which it would not impose upon a physically identical development under a
7 different form of ownership, or otherwise regulate the creation, governance, or existence of the
8 condominium form of ownership. Otherwise, no provision of this chapter invalidates or modifies
9 any provision of any zoning, subdivision, building code, or other real estate use law, ordinance, or
10 regulation. Provided, that in the town of Cumberland, the maximum height allowed for a
11 commercial or residential condominium complex, including, but not limited to, condominium
12 units built atop each other, shall be no more than thirty-five feet (35').

13 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 provide that in the town of Cumberland, the maximum height allowed for
2 a commercial or residential condominium complex would be no more than thirty-five feet (35').

3 This act would take effect upon passage.

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