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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2014

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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. -- (a)** 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. In that case, proceedings shall not be stayed other than
8 by a restraining order, which may be granted by a court of competent jurisdiction on application
9 and upon notice to the officer or agency from whom the appeal is taken on due cause shown.

10 **(b) Provided, however, that in the city of Providence, the automatic stay upon appeal may**
11 **be lifted if the Providence zoning enforcement officer or agency states in a certificate that a stay**
12 **in the officer's or agency's opinion, would cause imminent peril to the public health, safety or**
13 **welfare and/or cause substantial economic burden to the applicant. In such cases, proceedings**
14 **shall not be stayed other than by a restraining order, which may be granted by a court of**
15 **competent jurisdiction on application and upon notice to the officer or agency from whom the**
16 **appeal is taken on due cause shown.**

1 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 remove the automatic stay issued when a Providence zoning board
2 decision is appealed, if its zoning enforcement officer states in a certificate that the stay would
3 cause imminent peril to the public health, safety or welfare and /or cause substantial economic
4 burden to the applicant.

5 This act would take effect upon passage.

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