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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2026

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A N A C T

RELATING TO TOWNS AND CITIES -- SUBDIVISION OF LAND

Introduced By: Representatives Casey, Phillips, and J. Brien

Date Introduced: February 27, 2026

Referred To: House Municipal Government & Housing

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 45-23-53 of the General Laws in Chapter 45-23 entitled "Subdivision
2 of Land" is hereby amended to read as follows:

3 **45-23-53. Local regulations — Public hearing and notice requirements.**

4 (a) No local regulations shall be adopted, repealed, or amended until after a public hearing
5 has been held upon the question before the city or town planning board. The city or town planning
6 board shall first give notice of the public hearing by publication of notice in a newspaper of local
7 circulation within the municipality at least once each week for ~~three (3)~~ two (2) successive weeks
8 prior to the date of the hearing, which may include the week in which the hearing is to be held. The
9 same notice shall be posted in the town or city clerk's office and one other municipal building in
10 the municipality and the municipality must make the notice accessible on the municipal home page
11 of its website at least fourteen (14) days prior to the hearing. At this hearing, opportunity shall be
12 given to all persons interested on being heard upon the matter of the proposed regulations. The
13 newspaper notice shall:

14 (1) Specify the place of the hearing and the date and time of its commencement;

15 (2) Indicate that adoption, amendment, or repeal of local regulations is under consideration;

16 (3) Contain a statement of the proposed amendments to the regulations that may be printed
17 once in its entirety, or may summarize or describe the matter under consideration as long as the
18 intent and effect of the proposed regulation is expressly written in that notice;

19 (4) Advise those interested where and when a copy of the matter under consideration may

1 be obtained or examined and copied; and

2 (5) State that the proposals shown on the notice may be altered or amended prior to the
3 close of the public hearing without further advertising as a result of further study or because of the
4 views expressed at the public hearing. Any alteration or amendment must be presented for comment
5 in the course of the hearing.

6 (b) Notice of the public hearing shall be sent by first-class mail to the city or town planning
7 board of any municipality where there is a public or quasi-public water source, or private water
8 source that is used, or is suitable for use, as a public water source, located within two thousand feet
9 (2,000') of the municipal boundaries.

10 (c) Notice of a public hearing shall be sent to the governing body of any state or municipal
11 water department or agency, special water district, or private water company that has riparian rights
12 to a surface water resource and/or surface watershed that is used, or is suitable for use, as a public
13 water source, located within either the municipality or two thousand feet (2,000') of the municipal
14 boundaries; provided, that a map survey has been filed with the building inspector as specified in
15 § 45-24-53(f).

16 (d) Notwithstanding any of the requirements set forth in subsections (a) through (c) above,
17 each municipality shall establish and maintain a public notice registry allowing any person or entity
18 to register for electronic notice of any changes to the local regulations. Municipalities shall annually
19 provide public notice of the existence of the registry by a publication of notice in a newspaper of
20 general circulation within the municipality. In addition, each municipality is hereby encouraged to
21 provide public notice of the existence of the public notice registry in all of its current and future
22 communications with the public, including, but not limited to, governmental websites, electronic
23 newsletters, public bulletins, press releases, and all other means the municipality may use to impart
24 information to the local community.

25 (1) Provided, however, notice pursuant to a public notice registry as per this section does
26 not alone qualify a person or entity on the public notice registry as an "aggrieved party" under §
27 45-24-31.

28 (e) No defect in the form of any notice under this section renders any regulations invalid,
29 unless the defect is found to be intentional or misleading.

30 (f) The cost of newspaper notice and mailings shall be borne by the applicant.

31 (g) The requirements in this section are to be construed as minimum requirements.

32 SECTION 2. Section 45-24-53 of the General Laws in Chapter 45-24 entitled "Zoning
33 Ordinances" is hereby amended to read as follows:

34 **45-24-53. Adoption — Notice and hearing requirements.**

1 (a) No zoning ordinance shall be adopted, repealed, or amended until after a public hearing
2 has been held upon the question before the city or town council. The city or town council shall first
3 give notice of the public hearing by publication of notice in a newspaper of local circulation within
4 the city or town at least once each week for ~~three (3)~~ two (2) successive weeks prior to the date of
5 the hearing, which may include the week in which the hearing is to be held, at which hearing
6 opportunity shall be given to all persons interested to be heard upon the matter of the proposed
7 ordinance. Written notice shall be mailed to the parties specified in subsections (b), (c), (d), (e),
8 and (f) of this section, at least two (2) weeks prior to the hearing. The same notice shall be posted
9 in the town or city clerk's office and one other municipal building in the municipality and the
10 municipality must make the notice accessible on the municipal home page of its website at least
11 fourteen (14) days prior to the hearing. The notice shall:

12 (1) Specify the place of the hearing and the date and time of its commencement;

13 (2) Indicate that adoption, amendment, or repeal of a zoning ordinance is under
14 consideration;

15 (3) Contain a statement of the proposed amendments to the ordinance that may be printed
16 once in its entirety, or summarize and describe the matter under consideration as long as the intent
17 and effect of the proposed ordinance is expressly written in that notice;

18 (4) Advise those interested where and when a copy of the matter under consideration may
19 be obtained or examined and copied; and

20 (5) State that the proposals shown on the ordinance may be altered or amended prior to the
21 close of the public hearing without further advertising, as a result of further study or because of the
22 views expressed at the public hearing. Any alteration or amendment must be presented for comment
23 in the course of the hearing.

24 (b) Where a proposed general amendment to an existing zoning ordinance includes changes
25 in an existing zoning map, public notice shall be given as required by subsection (a) of this section.

26 (c) Where a proposed text amendment to an existing zoning ordinance would cause a
27 conforming lot of record to become nonconforming by lot area or frontage, written notice shall be
28 given to all owners of the real property as shown on the current real estate tax assessment records
29 of the city or town. The notice shall be given by first-class mail at least two (2) weeks prior to the
30 hearing at which the text amendment is to be considered, with the content required by subsection
31 (a). If the city or town zoning ordinance contains an existing merger clause to which the
32 nonconforming lots would be subject, the notice shall include reference to the merger clause and
33 the impacts of common ownership of nonconforming lots. For any notice sent by first-class mail,
34 the sender of the notice shall submit a notarized affidavit to attest to such mailing.

1 (d) Where a proposed amendment to an existing ordinance includes a specific change in a
2 zoning district map, but does not affect districts generally, public notice shall be given as required
3 by subsection (a) of this section, with the additional requirements that:

4 (1) Notice shall include a map showing the existing and proposed boundaries, zoning
5 district boundaries, existing streets and roads and their names, and city and town boundaries where
6 appropriate; and

7 (2) Written notice of the date, time, and place of the public hearing and the nature and
8 purpose of the hearing shall be sent to all owners of real property whose property is located in or
9 within not less than two hundred feet (200') of the perimeter of the area proposed for change,
10 whether within the city or town or within an adjacent city or town. Notice shall also be sent to any
11 individual or entity holding a recorded conservation or preservation restriction on the property that
12 is the subject of the amendment. The notice shall be sent by first-class mail to the last known
13 address of the owners, as shown on the current real estate tax assessment records of the city or town
14 in which the property is located; provided, for any notice sent by first-class mail, the sender of the
15 notice shall submit a notarized affidavit to attest to such mailing.

16 (e) Notice of a public hearing shall be sent by first-class mail to the city or town council of
17 any city or town to which one or more of the following pertain:

18 (1) That is located in or within not less than two hundred feet (200') of the boundary of the
19 area proposed for change; or

20 (2) Where there is a public or quasi-public water source, or private water source that is
21 used, or is suitable for use, as a public water source, within two thousand feet (2,000') of any real
22 property that is the subject of a proposed zoning change, regardless of municipal boundaries.

23 (f) Notice of a public hearing shall be sent to the governing body of any state or municipal
24 water department or agency, special water district, or private water company that has riparian rights
25 to a surface water resource or surface watershed that is used, or is suitable for use, as a public water
26 source and that is within two thousand feet (2,000') of any real property that is the subject of a
27 proposed zoning change; provided, that the governing body of any state or municipal water
28 department or agency, special water district, or private water company has filed with the building
29 inspector in the city or town a map survey, that shall be kept as a public record, showing areas of
30 surface water resources and/or watersheds and parcels of land within two thousand feet (2,000')
31 thereof.

32 (g) Notwithstanding any of the requirements set forth in subsections (a) through (e), each
33 municipality shall establish and maintain a public notice registry allowing any person or entity to
34 register for electronic notice of any changes to the zoning ordinance. The city or town shall provide

1 public notice annually of the existence of the electronic registry by publication of notice in a
2 newspaper of general circulation within the city or town. In addition, each municipality is hereby
3 encouraged to provide public notice of the existence of the public notice registry in all of its current
4 and future communications with the public, including, but not limited to, governmental websites,
5 electronic newsletters, public bulletins, press releases, and all other means the municipality may
6 use to impart information to the local community.

7 (1) Provided, however, notice pursuant to a public notice registry as per this section does
8 not alone qualify a person or entity on the public notice registry as an “aggrieved party” under §
9 45-24-31.

10 (h) No defect in the form of any notice under this section shall render any ordinance or
11 amendment invalid, unless the defect is found to be intentional or misleading.

12 (i) Costs of newspaper and mailing notices required under this section shall be borne by
13 the applicant.

14 (j) In granting a zoning ordinance amendment, notwithstanding the provisions of § 45-24-
15 37, the town or city council may limit the change to one of the permitted uses in the zone to which
16 the subject land is rezoned and impose limitations, conditions, and restrictions, including, without
17 limitation: (1) Requiring the petitioner to obtain a permit or approval from any and all state or local
18 governmental agencies or instrumentalities having jurisdiction over the land and use that are the
19 subject of the zoning change; (2) Those relating to the effectiveness or continued effectiveness of
20 the zoning change; and/or (3) Those relating to the use of the land as it deems necessary. The
21 responsible town or city official shall cause the limitations and conditions so imposed to be clearly
22 noted on the zoning map and recorded in the land evidence records; provided, that in the case of a
23 conditional zone change, the limitations, restrictions, and conditions shall not be noted on the
24 zoning map until the zone change has become effective. If the permitted use for which the land has
25 been rezoned is abandoned or if the land is not used for the requested purpose for a period of two
26 (2) years or more after the zone change becomes effective, the town or city council may, after a
27 public hearing, change the land to its original zoning use before the petition was filed. If any
28 limitation, condition, or restriction in an ordinance is held to be invalid by a court in any action,
29 that holding shall not cause the remainder of the ordinance to be invalid.

30 (k) The above requirements are to be construed as minimum requirements.

31 SECTION 3. This act shall take effect upon passage.

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

- 1 This act would reduce the newspaper advertising notice requirements for amendments to
- 2 zoning ordinances and planning board meetings from three (3) weeks to two (2) weeks.
- 3 This act would take effect upon passage.

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