

2016 -- H 7976

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2016

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A N A C T

RELATING TO TOWNS AND CITIES -- GENERAL POWERS

Introduced By: Representatives Canario, and Edwards

Date Introduced: March 23, 2016

Referred To: House Municipal Government

(by request)

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 45-2-54 of the General Laws in Chapter 45-2 entitled "General
2 Powers" is hereby amended to read as follows:

3 **45-2-54. Regulation of excavating. --** (a) The town of Middletown is hereby authorized
4 to impose upon any excavation activity within the town, including all such activity on rights of
5 way but excluding such activity on private land such permit requirements and regulations as are
6 necessary to ensure proper review of the excavation plans by town authorities and to require such
7 excavation to be conducted with minimum disturbance to surrounding land.

8 (b) The town of Middletown is further authorized to require excavation activity permits
9 including completion bonds or insurance, if necessary, to guarantee the return of an excavated
10 area to the conditions stipulated in the permit process.

11 (c) The town of Tiverton is hereby authorized to impose upon any quarrying, mining or
12 commercial earth or gravel removal or extraction operations, including, but not limited to, granite
13 quarrying being conducted within the town, such licensing and/or permit requirements and
14 regulations as are necessary to ensure proper review of such operations by town authorities to
15 require such operations to be conducted with minimum disturbance to surrounding land uses; and,
16 to require of such operators permits including completion bonds and/or insurance, if necessary, to
17 guarantee the return of an affected area to the conditions stipulated in the permit and/or licensing
18 process.

19 ~~(e)~~(d) Subsections (a), ~~and~~ (b) and (c) of this section shall not apply to any department,

1 division or agency of the state ~~of Rhode Island~~.

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

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
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RELATING TO TOWNS AND CITIES -- GENERAL POWERS

- 1 This act would allow the town of Tiverton to regulate excavating within the town.
- 2 This act would take effect upon passage.

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