

2016 -- S 2299

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LC003469  
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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: Senators Morgan, and Algieri

Date Introduced: February 09, 2016

Referred To: Senate Housing & 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 Charlestown is hereby authorized to impose upon any quarrying, mining,  
12 or commercial earth or gravel removal or extraction operations being conducted within the town  
13 such licensing and/or permit requirements and regulations as are necessary to ensure proper  
14 review of such operations by town authorities, to require such operations to be conducted with  
15 minimum disturbance to surrounding land uses; and, to require of such operators permits  
16 including completion bonds and/or insurance, if necessary, to guarantee the return of an affected  
17 area to the conditions stipulated in the permit and/or licensing process.

18           (d) ~~Subsections (a) and (b)~~ The provisions of this section shall not apply to any

1 department, 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  
A N A C T  
RELATING TO TOWNS AND CITIES -- GENERAL POWERS

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1           This act would authorize the town of Charlestown to regulate excavation and extraction  
2 activity within the town.

3           This act would take effect upon passage.

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