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LC002336  
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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2017

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A N A C T

RELATING TO TOWNS AND CITIES -- GENERAL POWERS

Introduced By: Senators Algiere, and Morgan

Date Introduced: April 12, 2017

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.**

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

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

12 (c) The town of Charlestown is generally authorized to reasonably and sensibly regulate  
13 the earth removal extraction processing and blasting operations conducted within the town,  
14 including, but not limited to:

15 (1) Adopting such licensing and/or permit requirements and regulations, it deems  
16 necessary, to ensure proper review of such operations by town authorities;

17 (2) To require such operations to be conducted with minimum disturbance to surrounding  
18 land uses; and

19 (3) To require of such operators' permits, including completion bonds and/or insurance

1 [necessary to guarantee the return of an affected area to the conditions necessitated by the permit](#)  
2 [and/or licensing process.](#)

3 (d) ~~(e) Subsections (a) and (b)~~ [The provisions](#) of this section shall not apply to any  
4 department, division or agency of the state of Rhode Island.

5 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

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1           This act would authorize the town of Charlestown to regulate earth removal extraction,  
2 and blasting operations, within the town.

3           This act would take effect upon passage.

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