

**2021 -- H 6119 SUBSTITUTE A AS AMENDED**

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LC002362/SUB A/4  
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**STATE OF RHODE ISLAND**

**IN GENERAL ASSEMBLY**

**JANUARY SESSION, A.D. 2021**

A N A C T

RELATING TO TOWNS AND CITIES -- SMALL BUSINESSES--ZONING ORDINANCES

Introduced By: Representatives McEntee, Costantino, Caldwell, Cortvriend, Phillips,  
Carson, Cassar, Giraldo, Casimiro, and Slater

Date Introduced: March 11, 2021

Referred To: House Small Business

It is enacted by the General Assembly as follows:

1           SECTION 1. Chapter 45-24 of the General Laws entitled "Zoning Ordinances" is hereby  
2 amended by adding thereto the following section:

3           **45-24-46.5. Special provisions -- Emergency declaration modifications.**

4           (a) A moratorium is hereby imposed on the enforcement of any municipal ordinance or  
5 zoning regulation that would penalize any food business or food service establishment, as defined  
6 in § 21-27-1, or bar as defined in § 23-20.10-2, for any alterations or modifications to its business  
7 made in order to comply with any directives, executive orders or restrictions issued by the governor,  
8 principal executive officer of a political subdivision or the director of the department of health  
9 based upon an emergency declaration issued pursuant to §§ 30-15-9 or 30-15-13.

10          (b) The moratorium imposed pursuant to this section shall continue throughout the  
11 emergency declaration and shall remain effective for a period of six (6) months after the emergency  
12 declaration has been rescinded or until January 1, 2022, whichever occurs first. During this period,  
13 all approved nonconforming uses adopted to comply with the emergency declaration shall be  
14 permitted to continue.

15          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 -- SMALL BUSINESSES--ZONING ORDINANCES

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1           This act would impose a moratorium on the enforcement of any municipal ordinance or  
2 zoning requirement that would penalize owners of food service establishments and bars for any  
3 modifications or alternations to their premises in response to an emergency declaration by the  
4 governor or local municipal officials. The moratorium shall be effective during the period of  
5 emergency and for six (6) months after the emergency declaration is rescinded or until January 1,  
6 2022, whichever occurs first.

7           This act would take effect upon passage.

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