

2022 -- H 8065

LC005641

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2022

A N A C T

RELATING TO TOWNS AND CITIES -- GENERAL POWERS

Introduced By: Representative Blake Anthony Filippi

Date Introduced: March 30, 2022

Referred To: House Municipal Government & Housing

It is enacted by the General Assembly as follows:

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

3 **45-2-54.1. Regulation of excavation activity in the town of Charlestown.**

4 (a) The town of Charlestown is hereby authorized to impose upon any excavation activity
5 within the town, including all such activity on rights of way and such activity on private lands, such
6 permit requirements and to promulgate regulations as are necessary to:

7 (1) Ensure proper review of the excavation plans by town authorities;

8 (2) Require such excavation to be conducted with minimum disturbance to surrounding
9 lands; and

10 (3) Ensure the health and safety of town residents.

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

14 (c) As used in this section, the term "excavate" and variations thereof shall have the same
15 meaning as defined in the model ordinance for soil erosion and sediment control set forth in § 45-
16 46-5.

17 (d) Subsections (a), (b), and (c) of this section shall not apply to any department, division
18 or agency of the State of Rhode Island.

1 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 permit the town of Charlestown to impose upon any excavation activity
2 within the town, permit requirements and to promulgate regulations necessary to ensure proper
3 review of the excavation plans by town authorities and ensure the health and safety to town
4 residents, and to require such excavation activity be conducted with minimum disturbance to
5 surrounding lands.

6 This act would take effect upon passage.

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