

2025 -- S 1109

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2025

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A N A C T

RELATING TO TOWNS AND CITIES -- TIVERTON'S NEW CONSTRUCTION PROJECTS
ACT

Introduced By: Senators Felag, and DiPalma

Date Introduced: May 23, 2025

Referred To: Senate Housing & Municipal Government

(by request)

It is enacted by the General Assembly as follows:

1 SECTION 1. Title 45 of the General Laws entitled "TOWNS AND CITIES" is hereby
2 amended by adding thereto the following chapter:

3 CHAPTER 53.1

4 TIVERTON'S NEW CONSTRUCTION PROJECTS ACT

5 **45-53.1-1. Title.**

6 This chapter shall be known and may be cited as the "Tiverton's New Construction Projects
7 Act."

8 **45-53.1-2. Definitions.**

9 For the purposes of this chapter, the following words and terms shall have the following
10 meanings:

11 (1) "Bonus units" means additional residential units approved by the town of Tiverton as
12 part of a development project in accordance with the town's zoning and development policies.

13 (2) "Building permit" means a permit issued by the town of Tiverton granting authorization
14 for the commencement of construction on a project.

15 (3) "Certificate of occupancy" means a certificate issued by the town of Tiverton
16 confirming that a building has been completed in compliance with all building codes and is safe
17 for occupancy.

18 (5) "Preliminary approval" means the initial approval granted to a development project

1 after review and recommendation by the appropriate municipal authority.

2 (4) "Final approval" means the final authorization given by the town of Tiverton following
3 successful completion of all necessary review and approval processes for a development project.

4 **45-53.1-3. Timelines for approval and permitting.**

5 (a) In the town of Tiverton, the period between the granting of preliminary approval and
6 the granting of final approval for a development project shall not exceed one year.

7 (b) In the town of Tiverton, the period between the granting of final approval and the
8 issuance of a building permit shall not exceed two (2) years.

9 (c) In the town of Tiverton, if the applicant does not request a building permit within the
10 two (2) year period following final approval, the application and vesting shall be considered void.
11 The development process shall need to be restarted, and the applicant will need to resubmit a new
12 application for review and approval.

13 **45-53.1-4. Temporary addition of units to town's total unit count.**

14 (a) In the town of Tiverton, once an applicant requests a building permit, the number of
15 units approved for the development, including any bonus units, shall be temporarily added to the
16 total unit count. This count shall be included in the town of Tiverton's current housing inventory.

17 (b) The units, including bonus units, shall be permanently added to the town of Tiverton's
18 unit count upon the issuance of a certificate of occupancy for the development or three (3) years
19 from the date of the request for a building permit, whichever occurs first.

20 (c) The town of Tiverton shall be allowed to count the units, including bonus units, against
21 other new developments while the construction is ongoing. This shall ensure that the town of
22 Tiverton remains in compliance with its housing and development goals, while still providing
23 flexibility to the applicant during the construction phase.

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

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
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1 This act would set timelines for Tiverton's new construction, including one year for final
2 approval, two (2) years for building permits, and temporary inclusion of units in the town's count
3 until completion or three (3) years, whichever comes first.

4 This act would take effect upon passage.

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