

2016 -- H 8101

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LC005685
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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 -- LOCAL PLANNING BOARD OR COMMISSION

Introduced By: Representatives Carson, McEntee, Naughton, Craven, and Amore

Date Introduced: April 27, 2016

Referred To: House Municipal Government

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 45-22-7 of the General Laws in Chapter 45-22 entitled "Local
2 Planning Board or Commission" is hereby amended to read as follows:

3 **45-22-7. Other duties of a planning board or commission.** -- (a) A planning board or
4 commission established under the provisions of this chapter shall make studies and prepare plans
5 and reports on the needs and resources of the community with reference to its physical, economic,
6 and social growth and development as affecting the health, safety, morals, and general welfare of
7 the people. The studies, plans, and reports shall concern, but not necessarily be limited to, the
8 following:

- 9 (1) Land use and land use regulation;
- 10 (2) Transportation facilities;
- 11 (3) Public facilities including recreation areas, utilities, schools, fire stations, police
12 stations, and others;
- 13 (4) Blighted areas including the designation of general areas for redevelopment, renewal,
14 rehabilitation, or conservation;
- 15 (5) Problems of housing and the development of housing programs.
- 16 (6) Environmental protection;
- 17 (7) Natural resource conservation;
- 18 (8) Protection from disaster.
- 19 (9) Economic and social characteristics of the population;

1 (10) Preservation of historic sites and buildings; and

2 (11) Economic development.

3 (b) When directed by the city or town council or by the appointing authority, a planning
4 board or commission shall prepare an annual capital budget and a comprehensive long range
5 capital improvement program for submission to the council, the appointing authority, or other
6 designated official or agency.

7 (c) A planning board or commission shall submit an advisory opinion and
8 recommendation on all zoning matters referred to it under the provisions of the city or town
9 zoning ordinance and report on any other matter referred to it, by the city or town council, the
10 chief executive, or the appointing authority.

11 (d) A planning board or commission shall perform any other duties that may be assigned
12 to the board or commission from time to time by any act of the general assembly or by any
13 ordinance, code, regulation order, or resolution of the city or town council or by the appointing
14 authority.

15 (e) A planning board or commission has authority to call upon other departments,
16 boards, and committees of the city or town and upon regional, state, and federal agencies for
17 information and assistance necessary to the performance of its duties, and shall cooperate with the
18 city or town, regional, state, and federal agencies on matters of community, regional, and state
19 planning and development.

20 (f) Each planning board or commission must adopt a provision requiring any person who
21 will be required to file a request for access pursuant to § 24-8-34 to file that request not later than
22 the day on which that person files any document in connection with the project in question with
23 the applicable town or city, and to provide a copy of the request to the town or city.

24 (g) Each planning board or commission must have all of its members participate in
25 training and education classes concerning the effects of development in a flood plain and the
26 effects of sea level rise once every two (2) years. Each member shall complete two (2) hours of
27 training in order to be certified for the two (2) years required by this subsection.

28 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 -- LOCAL PLANNING BOARD OR COMMISSION

1 This act would require that members of local planning boards and commissions receive
2 two (2) hours of training on issues related to development in flood plains and the effects of sea
3 level rise once every two (2) years.

4 This act would take effect upon passage.

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