Paul Eno - Tolling bill extends life of permits and applications

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As we went to press, RIBA executive director Roger Warren announced that the General Assembly has passed the "tolling" bill, which stops the clock on all approvals and permits in effect as of Nov. 9, 2009, and for those issued since then and still in effect, until June 30, 2013.

The measure extends the expiration dates for all approvals by the Dept. of Environmental Management (DEM), the Coastal Resources Management Council (CRMC), and all local planning and zoning authorities.

"This was a major legislative priority for the R.I. Builders Association during the current legislative session," Warren said. "In the current economy, when many approved building projects and developments are delayed, the extension of this clock-stopping or 'tolling' measure is crucial."

The newly revised bill states:

"The expiration dates for all permits and approvals issued before the tolling period began will be recalculated as of July 1, 2013 by adding thereto the number of days between November 9, 2009 and the day on which the permit or approval would otherwise have expired. The expiration dates for all permits and approvals issued during the tolling period will be recalculated as of July 1, 2013 by adding thereto the number of days between the day the permit or approval was issued and the day the permit or approval otherwise would have expired."

For the law to apply, the permit or approval must have been valid on November 9, 2009, or been issued after that date but before June 30, 2013. The law does not revive expired approvals.

"If any member asks, 'What does RIBA do for me?' here's an excellent example," said Edgar Ladouceur, past president and co-chair (with Steven Carlino) of the legislative committee.

"This is a major step forward for our industry, and we thank all those in the legislature who supported it and all those in RIBA who worked for it, including the members of our committee and our lobbyists, Joseph Walsh and Gayle Wolf."

Walsh also stressed the importance of the extension.

"This is a major bill, and we thank all legislators for their efforts for people in the building industry. We appreciate the work of RIBA's legislative committee, under the guidance of Ed Ladouceur and Steve Carlino. We thank the legislative leadership for being sensitive to the situation in the building industry and for providing relief for builders and developers in the permitting process."

RIBA extends its thanks to the bill's sponsors: Sen. Michael McCaffrey (D-Warwick) and Rep. William San Bento Jr. (D-Pawtucket, North Providence). The association also thanks: Sen. John Tassoni Jr. (D-Smithfield, North Smithfield), Raymond Gallison Jr. (D-Bristol, Portsmouth), and Rep. John McCauley Jr. (D-Providence) for sponsoring similar tolling legislation in their respective chambers.

Co-sponsors on these bills were: Rep. Samuel Azzinaro (D-Westerly), Rep. Jon Brien (D-Woonsocket), Rep. Roberto DaSilva (D-East Providence, Pawtucket), Sen. Frank DeVall Jr.

(D-East Providence), Sen. Paul Fogarty (D-Burrillville, Glocester, North Smithfield), Rep. Brian Patrick Kennedy (D-Hopkinton, Westerly), Rep. Peter Petrarca (D-Johnston, Lincoln, Smithfield), Rep. Patricia Serpa (D-Coventry, Warwick, West Warwick), and Rep. Anastasia Williams (D-Providence).

Warren added, "Passage of this important legislation was the combined effort of the Legislative Committee, staff, lobbyists and certainly those legislators who sponsored and supported these bills. It is a prime example of the effectiveness of RIBA's government affairs activities."

Watch for a review of the 2011 General Assembly session in the August R.I. Builder Report. For more information on legislative matters, call the RIBA office at (401) 438-7400.

Paul Eno is the owner and editor-in-chief of New River Press, Woonsocket and is the editor of the monthly RIBA newsletter, The Rhode Island Builder Report.