



ORDINANCE NO. _____

**AN ORDINANCE IN AMENDMENT TO
THE SUBDIVISION REGULATIONS OF THE TOWN OF FOSTER**

IT IS HEREBY ORDAINED by the Town Council of Foster, Rhode Island, that the Subdivision Regulations of the Town be amended as follows:

Chapter 32 – SUBDIVISION REGULATIONS

ARTICLE II – ADMINISTRATION

DIVISION 1. – GENERALLY

Sec. 32-45 shall be amended to meet the criteria of RIGL 45-23-59:

Sec. 32-45. - Enforcement; penalties for violation of chapter.

(a) *Violations.* Any person who fails or refuses to adhere to ~~all any of the~~ terms ~~and or~~ conditions of any ~~subdivision of land or development plan that has been approved~~ action imposed by the planning board or of the any other agency or administrative officer charged in the regulations with enforcement of any of the provisions shall be in violation of this chapter. Violation of the regulations include any action related to the transfer or sale of land in unapproved subdivisions. Any owner or agent of the owner, who transfers, sells or negotiates to sell any land by reference to or exhibition of, or by other use, a plat of the subdivision before the plat has been approved by the planning board and recorded in the land evidence records, ~~shall be is~~ in violation of this chapter and is subject to the penalties described in this chapter. Any person who, having submitted an application for subdivision or development approval, begins construction of the subdivision or development, or constructs any structure or improvement on the parcel, without having first received approval from the planning board or the administrative officer, shall be in violation of this chapter.

(b) *Penalties for violation.* Any person adjudged in violation of this chapter shall be liable for penalties not to exceed \$500.00 per day, and each day of existence of a violation shall be deemed a separate offense. Any fine shall inure to the municipality.

(c) *Injunctive relief.* The town shall have the authority to bring suit in the county superior court or the supreme court to restrain the violation of, or to compel compliance with, the provisions of this chapter. An action for injunctive relief and/or fines under this chapter brought by the town in the county superior court or the supreme court may be consolidated with an action seeking penalties for violations of this chapter.



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Chapter 32 – SUBDIVISION REGULATIONS

ARTICLE IX – SPECIAL PROVISIONS

Sec. 32-301. – Construction Timetable - Extension.

Sec. 32-301* shall be added to allow for reasonable exceptions to the timeframes related to commencement and completion of land development projects and improvements associated with subdivisions that are set forth in various sections of chapter 32 pursuant to RIGL 45-23-32(51).

Sec. 32-301. – Construction timetable - Extension.

All timeframes that are set forth by vested rights provisions and that are related to commencement and completion of any project that has been approved under this chapter, also known as the construction timetable, may be extended for a longer period, for cause shown, if requested by the applicant in writing, and approved by the planning board.
