

Concise Explanatory Statement

Rhode Island Government Register

In accordance with the Administrative Procedures Act, R.I. Gen. Laws § 42-35-2.6, the following is a concise explanatory statement:

AGENCY: **BUILDING CODE COMMISSION**
Department of Business Regulation

RULE IDENTIFIER: **510-RICR-00-00-21**

REGULATION TITLE: **Process for Establishing Statewide Building Permit Fees**

RULEMAKING ACTION: **Amendment, Full Rulemaking**

PUBLIC COMMENT PERIOD: **October 13, 2023, to November 15, 2023**

A. Statement of Purpose of the Amendment.

In accordance with § 21.8 of 510-RICR-00-00-21, East Providence and Westerly submitted requests to the Building Code Commissioner to change their statewide permitting fees. After review, the State Building Code Commissioner presented the proposed fee changes for East Providence and Westerly to the Building Code Standards Committee. The Building Code Standards Committee approved the fee changes for East Providence and Westerly at meetings held on 1/13/2022 and 8/25/2021, respectively.

The specific amendments can be found in § 21.12(A)(10) for East Providence and in § 21.12(A)(36) for Westerly.

The regulatory changes proposed in this filing were identical to the regulatory language originally noticed on 06/15/2023. During that public comment period, a technical error within the RICR system may have prevented comments submitted through RICR's attachment field from being received by the agency. Any comments submitted directly through RICR's text box option (with no attachments) or submitted directly to the agency were processed successfully. This regulation was noticed for a second public comment period to ensure that the agency receives all public comments as originally intended. No comments were received during the initial public comment period (06/15/2023, through 07/15/2023). No comments were received during this second public comment period.

B. Summary of the Regulatory Analysis.

Westerly and East Providence requested an increase in building permit fees, to have sufficient funding to cover the municipality's costs of the permit issuance process. The societal benefit is that each municipality will have sufficient resources to review and issue building permits effectively and efficiently. This fosters the public's interest in health, safety and welfare, which is at the core of building code compliance. Timely issuance of building permits is also beneficial to contractors, construction firms, commercial and residential property owners who are

building/improving premises, and to the consumers that will ultimately utilize the constructed facilities.

See the regulatory analysis for more information, which can be found listed “studies/reports” under the Rulemaking Documents tab.

In the development of the proposed amendment consideration was given to: (1) alternative approaches; (2) overlap or duplication with other statutory and regulatory provisions; and (3) significant economic impact on small business. No alternative approach, duplication, or overlap was identified based upon available information.

C. Summary of Comments Not Resulting in Regulatory Language Changes.

No comments were received. Therefore, the final regulation is the same as what was initially proposed.