

REGULAR SESSION

JANUARY 12, 2026

At a REGULAR SESSION of the Town Council of the Town of South Kingstown, County of Washington, in the State of Rhode Island held at the Town Hall, in and for said Town on the 12th day of January 2026 at 7:06 PM.

PRESENT: Rory H. McEntee, President
 Michael K. Marran, Vice President
 Patricia A. Alley
 Deborah D. Bergner
 Jay G. Wegimont

1. A. CLOSED EXECUTIVE SESSION

UNANIMOUSLY VOTED: recess to Closed Executive Session pursuant to RIGL §42-46-5(a)(1) to discuss matters pertaining to personnel: Town Solicitor.

Regular Session is reconvened at 7:36 PM.

UNANIMOUSLY VOTED: to seal the minutes of the Closed Executive Session pursuant to RIGL §42-46-5(a)(1) to discuss matters pertaining to personnel: Town Solicitor.

Mike Ursillo, Town Solicitor notes that no votes were taken in Closed Executive Session.

Nichole C. Romane
Town Clerk

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2. REGULAR SESSION

A. PLEDGE OF ALLEGIANCE TO THE FLAG

The Pledge of Allegiance to the flag is given.

B. LAND ACKNOWLEDGEMENT STATEMENT

The Land Acknowledgement Statement is read.

3. ROLL CALL

Roll Call is taken and all members are present.

4. APPROVAL OF MINUTES OF PREVIOUS MEETINGS

A. Work Session: UNANIMOUSLY VOTED: that the minutes of the Work Session held on December 18, 2025 are accepted, approved, and placed on file.

B. Regular Session: UNANIMOUSLY VOTED: that the minutes of the Regular Sessions held on December 8 and December 18, 2025 are accepted, approved, and placed on file.

C. Closed Executive Session: UNANIMOUSLY VOTED: that the minutes of the Closed Executive Session held on December 18, 2025 are accepted.

5. APPOINTMENTS

B. UNANIMOUSLY VOTED: to reappoint William Wallace III as Tree Warden for the Town of South Kingstown for the year 2026.

6. CONSENT AGENDA

UNANIMOUSLY VOTED: to approve the Consent Agenda as indicated by (CA) on same.

(CA) A. UNANIMOUSLY VOTED: to grant Victualling Licenses for the year beginning December 1, 2025 to the following; Renewals:

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Albie's Place, Inc. d/b/a Albie's Place, 99 Fortin Road, Kingston, RI 02881. Application by Jason Wichert, Owner. License No. 59653.

Town Made LLC d/b/a Town Made, 203 Main Street, Wakefield, RI 02879. Application by Ken Procaccianti, Principal. License No. 75003.

CL Enterprises, Inc d/b/a Hal's Garage & Auto Body, 171 Old Tower Hill Road, Wakefield, RI 02879. Application by R. Harold Thomas Jr., President. License No. 59175.

(CA) B. UNANIMOUSLY VOTED: to grant Holiday Sales Licenses for the year beginning December 1, 2025 to the following; Renewals:

CDM Fitness Holdings, LLC d/b/a Planet Fitness, 160 Old Tower Hill Road, Wakefield, RI 02879. Application by Lane Milliken, Director of Operations. License No. 83123.

H N S, Inc. Healy News Store d/b/a Healy News Store, 231 Robinson Street, Wakefield, RI 02879. Application by David Hall, President. License No. 86527.

Dolgen Rhode Island, LLC d/b/a Dollar General Store 20236, 1860 Kingstown Road, Wakefield, RI 02879. Application by Linda Pearson, Licensing Specialist. License No. 76081.

Ocean State Job Lot of RI2019-3, LLC d/b/a Ocean State Job Lot #127, 688 Kingstown Road, Wakefield, RI 02879. Application by Jennifer Fredette, Licensing Manager. License No. 62624.

Wakefield Music Company d/b/a Wakefield Music, 58 Main Street, Wakefield, RI 02879. Application by Dennis Costa, Owner. License No. 59770.

Wanida Corporation d/b/a The Boss, 682 Kingstown Road, Wakefield, RI 02879. Application by Eakkachai Udomdat, President. License No. 75939.

(CA) C. UNANIMOUSLY VOTED: to grant Victualling and Holiday Sales Licenses for the year beginning December 1, 2025 to the following; Renewals:

Bagelz of Wakefield, Inc. d/b/a Bagels, 90 Pershing Avenue, Wakefield, RI 02879. Application by Scott Lieberman, President. License No. 59135.

Rosario's Restaurant, Inc. d/b/a Kingston Pizza, 63 Briar Lane, Kingston, RI 02881. Application by Ina Sciabarrasi, Vice President. License No. 59104.

Belmont Marketplace, Inc. d/b/a Belmont Marketplace, 600 Kingstown Road, Wakefield, RI 02879. Application by Vincent Siravo Jr, President. License No. 59664.

Gansett Craft Chocolate d/b/a Gansett Craft Chocolate, 227 Robinson Street, Wakefield, RI 02879. Application by Steven Schneider, Owner. License No. 87703.

Lamfong LLC d/b/a Simply Thai, 99 Fortin Road, Kingston, RI 02881. Application by Lamphone Voravongsa, Manager. Renewal; License No. 78821.

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Ryan Zeolla d/b/a RI Guys Donuts, 621 Kingstown Road, Wakefield, RI 02881. Application by Ryan Zeolla, Owner. License No. 86129.

Little Rhody Pizza Corp. d/b/a Little Rhody Island Deli, 231 Tower Hill Road, Wakefield, RI 02879. Application by Dennis Webb, President. License No. 88260.

(CA) D. UNANIMOUSLY VOTED: to grant Victualling, Holiday Sales and Additional Hours Licenses for the year beginning December 1, 2025 to Baked Kingston RI Operators, LLC d/b/a Insomnia Cookies, 99 Fortin Road, Kingston, RI 02881. Application by Mary Fehlner, Permitting and Licensing Coordinator. Renewal; License No. 65535.

(CA) E. UNANIMOUSLY VOTED: to grant Laundry/Dry Cleaners License for the license years beginning December 1, 2024 and December 1, 2025, to Barbara Placido d/b/a Matunuck Laundry, 706 Matunuck Beach Road, Wakefield, RI 02879. Application by Barbara Placido, Owner. Renewal; License No. 66592.

(CA) F. UNANIMOUSLY VOTED: to grant a Tourist Accommodations License for the year beginning December 1, 2025 to Stephanie Osborn d/b/a Sugar Loaf Hill Bed and Breakfast, 607 Main Street, Wakefield, RI 02879. Application by Stephanie Osborn, Owner. Renewal; License No. 59733.

(CA) G. UNANIMOUSLY VOTED: to grant Holiday Sales, Shellfish and Farm Produce Peddler Licenses for the year beginning December 1, 2025 to Whaley Farm d/b/a Whaley Farm, 2 Jerry Brown Farm Road, Wakefield, RI 02879. Application by George Whaley, Owner. Renewal; License No. 78225.

(CA) H. UNANIMOUSLY VOTED: to grant Theater and Holiday Sales Licenses for the year beginning December 1, 2025 to Matunuck Live Theatre, Inc. d/b/a Theatre By The Sea, 364 Cards Pond Road, Wakefield, RI 02879. Application by Karen Kessler, Vice President & Secretary. Renewal; License No. 78932.

(CA) I. UNANIMOUSLY VOTED: to grant a Private Detective License for the year beginning December 1, 2025 to Keara Wolstencroft d/b/a Keara Wolstencroft, 1183 Kingstown Road Unit 2R, Wakefield, RI 02879. Application by Keara Wolstencroft, Owner. Renewal; License No. 60170.

(CA) J. UNANIMOUSLY VOTED: to grant a Trailer Park/Campground License for the year beginning December 1, 2025 to Blackbeard Homeowners Association d/b/a Blackbeard Homeowners Association, 836 Matunuck Beach Road, Wakefield, RI 02879. Application by Sabrina Courville, Treasurer. Renewal; License No. 82430.

(CA) K. UNANIMOUSLY VOTED: to authorize the Town Assessor to abate taxes in the amount of \$1,066.54, as shown on Tax Abatement Request No. 656.

(CA) L. UNANIMOUSLY VOTED: to authorize an award of contract to ATG Group Inc., 188 Airport Road, Warwick, RI 02889, for network infrastructure and wiring upgrades at the Peace Dale Library, in an amount not to exceed \$19,057.75, as further described in a memorandum from the Library Director to the Town Manager dated December 31, 2025 entitled "Award of Contract – Network Infrastructure and Wiring Upgrades, Peace Dale Library".

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(CA) M. UNANIMOUSLY VOTED: to authorize an award of contract to Precision Concrete Cutting, New England Headquarters, 66 N. Rutland Rd, Milford, CT 06461 for Sidewalk Trip Hazard Removal in an amount not to exceed \$20,836.41 from the Highway Department FY 2025-2026 Operational Budget, and as further described in a memorandum from the Public Services Director to the Town Manager dated December 9, 2025, and entitled "Award of Service Recommendation, Sidewalk Trip Hazard Removal".

7. LICENSES

A. Randy Schukraft, Representative is present, and after testimony and discussion it is

UNANIMOUSLY VOTED: to grant a Miscellaneous Permit to conduct the annual Angry Unicorn Half Marathon – 5K Road Race on Sunday, November 08, 2026 from 7 am to 11 am to Ocean State Multisport, P.O. Box 14103, East Providence, RI 02914 subject to the execution of a hold harmless agreement indemnifying the Town and receipt of a Certificate of Insurance naming the Town as an additional insured for the event in the amounts specified by the Finance Director. Application by Gary Menissian, Renewal; License No. 91600.

B. No one is present to speak on behalf of this application, so consideration of an application for a Road Race License to Broad Rock Middle School PTO to conduct the Broad Rock Middle School Coyote Chase 5k and 1 mile Fun Run Road Race fundraiser on Saturday, March 28, 2026 at 9:00 am to 11:30 am is continued. Application by Jessica Domack, Member. Renewal; License No. 91343.

C. Ken Burke, SK USA 250th Committee Chair is present, and after testimony and discussion it is

UNANIMOUSLY VOTED: to grant a Special Events Permit to the SK USA 250th Committee to hold the Saugatucket Skirmish at Saugatucket Park on Saturday, February 7, 2026 from 1 PM to 5:30 PM Application by Theresa L. Murphy. New; License No. 91955.

8. PUBLIC COMMENTS – 30 Minutes

Council President McEntee invites residents to come forward with comments.

Carol Stedman comments in support of the proposed Revolutionary War Monument and the addition of Indigenous names to the monument.

Sharon Henderson comments in support of the proposed Revolutionary War Monument at Hazard School, provides a brief history of the Hazard School, and emphasizes the reasons why the Revolutionary War Monument would be an excellent companion monument to the Flagstaff Monument already installed at Hazard School.

David Gates comments on Native American contributions to history and in support of the proposed Revolutionary War Monument.

Bob Trager comments on the state of the world and the political climate in the United States.

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Lori Miller Horton comments on the Kersey Road sidewalk issue, that an engineering study has been performed but there is no timeline for improvements to begin, requests the project to be moved ahead, and in support of traffic speed cameras in front of the Peace Dale School.

Karen Black, SK USA 250th Committee Member comments on having Town Council approval for the proposed Revolutionary War Monument so that the Committee may move forward with fundraising efforts.

Discussion ensues relative to adding the Revolutionary War Monument to the January 26, 2026 agenda.

UNANIMOUSLY VOTED: to add for discussion purposes the installation of school zone cameras on Kersey Road.

Jim Manni, Town Manager reviews that camera installation are a policy decision by the Town Council and the pros and cons of installation.

Discussion ensues relative to determining the need for speed cameras, information gathering procedures, and the ability to set cameras to operate during designated times.

Matthew Moynihan, Chief of Police reviews a previous traffic speed study done and the ability to set cameras to operate during school hours.

Discussion ensues relative to the Kersey Road improvements listed in the Capital Improvement Plan (CIP), the need to save money for the sidewalk project before implementation, State grant funding applied for, and the lack of grant funding available currently.

Rich Bourbonnais, Public Services Director responds relative to funding for the project through the CIP and that the sidewalk project is in the permitting stage with the Rhode Island Department of Environmental Management (RIDEM).

Discussion ensues relative to the total project cost of \$700,000 and the development being projected to be a future year project.

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9. NEW BUSINESS

A. Kate Macinanti, School Building Committee Chair reviews the AIA A133-2019 Contract, Guaranteed Maximum Price (GMP) Agreement #2 for the South Kingstown High School project phase only, inclusive of demolition and refielding, not inclusive of Curtis Corner fields.

Kate Turner, LeftField reviews the previous GMP #1, the total project budget, the GMP #2 Award Recommendation and what it includes, and notes that the total construction costs are \$1.9 million under budget.

Discussion ensues relative to the total construction costs being under budget, Rhode Island Department of Education (RIDE) reimbursements, ways to maximize State reimbursements, the potential repurposing of the \$1.9 million in construction cost savings toward alternate design options or unforeseen approvals by the Change Order Task Force, the impact of the savings on potentially lowering the bond amount, and the guaranteed total construction budget.

UNANIMOUSLY VOTED: to authorize the Town Manager to sign an amendment to the AIA A133-2019 Contract, Guaranteed Maximum Price (GMP) Agreement #2 with Gilbane Building Company, 7 Jackson Walkway, Suite 2, Providence, RI 02903 for the South Kingstown High School Replacement Project in an amount not to exceed one hundred fourteen million, five hundred ninety-eight thousand, seven hundred eighty dollars (\$114,598,780), as further detailed in a memorandum from the Deputy Town Manager to the Town Manager dated January 6, 2026, entitled "Authorization to Execute a Guaranteed Maximum Price Agreement #2 for South Kingstown High School (Ref # SK0005TM)".

B. Theresa Murphy, Director of Leisure Services reviews a request for an Infield Grooming Machine.

UNANIMOUSLY VOTED: to authorize an award of bid to Alta Construction Equipment New England LLC, for the purchase of a 2025 ABI Z-23 infield grooming machine with two attachments as specified in an amount not to exceed \$34,525 from the FY2024-25 and FY2025-26 CIP budgets, and as further described in a memorandum from the Director of Leisure Services to the Town Manager dated December 17, 2025 and entitled "Bid Recommendation – Infield Grooming Machine".

C. Richard Bourbonnais, Director of Public Services reviews a request for to clean and treat the Town's water towers.

UNANIMOUSLY VOTED: to authorize an award of bid to Downspout, 785 Nooseneck Hill Road, West Greenwich, RI 02817 for exterior power washing for the Victoria Lane and Mautucket Road water tanks in an amount not to exceed \$28,250 which includes a \$5,000 contingency from the Water Division's FY 2024-2025 capital improvement program (CIP) budget, and as further described in a memorandum from the Public Services Director to the Town Manager dated December 22, 2025, and entitled, "Bid Recommendation - Exterior Power Washing, Cleaning & Miscellaneous Repairs - Elevated Water Tanks".

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D. UNANIMOUSLY VOTED: to authorize the Town Clerk to advertise for Order of Notice a Public Hearing to consider proposed amendments to the Town Code, Chapter 10 Motor Vehicles and Traffic, Article II Stopping, Standing and Parking, Section 10-12, Boulevard and Street Stop Signs Designated for the installation of a stop sign on James Trail where it terminates at Gardner Road as follows:

CHAPTER - 10 MOTOR VEHICLES AND TRAFFIC, Article II – STOPPING, STANDING & PARKING

Sec. 10-12 – Boulevard and street stop signs designated.

Remove:

~~James Trail at Glen Rock Road. Traffic to stop on James Trail at intersection~~

Add:

James Trail. Traffic traveling easterly must stop before entering Glenn Rock Road. Traffic traveling westerly must stop before entering Gardner Road

E. UNANIMOUSLY VOTED: to authorize the Town Clerk to advertise for Order of Notice a Public Hearing to consider proposed amendments to the Town's Zoning Ordinance Article 5.5 Rental Dwellings, as follows:

AMENDMENTS TO THE TOWN CODE APPENDIX A – ZONING ORDINANCE ARTICLE 5.5 - RENTAL DWELLINGS

* * *

Sec. 550. - Applicability.

The provisions of this article shall apply to all rental dwellings/units within the town except those such as hotels, motels and tourist homes which are licensed pursuant to Chapter 18. Institutional dormitories are exempt from the provisions of this article.

Sec. 551. - Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Record owner means the property owner of record, as identified by the town's tax records, or the record owner's authorized agent.

Rental dwelling means any enclosed space which is wholly or partly used or intended to be used for occupants who are paying rent therefor.

Rental unit means any room or group of rooms located within a rental dwelling and forming a single habitable unit for living and sleeping by occupants who are paying rent therefor.

Sec. 552. - Registration.

(a) *Required.* No rental dwelling/unit shall be let, leased or otherwise permitted to be occupied, in whole or in part, by a tenant for residential and/or dwelling purposes unless and until the record owner has registered such property with the zoning official.

(b) *Form.* The rental registration form shall, at a minimum, indicate the tax assessor's plat and lot number address of the rental dwelling/unit the number of rental dwelling units and bedrooms therein, the name and permanent mailing address of the record owner, and the maximum number of tenants at one time, and period of occupancy ~~(summer, September to June, or other).~~
All rental registration applications shall be signed and ~~properly notarized~~ by the record owner. The

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zoning official is authorized to request additional information/documentation as reasonably necessary.

(c) *Filing date; term.* Between November 30 and December 31 of each year, the record owner of the rental dwelling/unit shall file the completed rental registration form with the zoning official, which registration shall be valid for a one-year period from January 1 to December 31 of the following year. If the property is registered at any other time during the calendar year, the registration shall be valid until December 31 of that same year.

Sec. 553. - Fee.

To defray the cost of implementing and overseeing compliance with this article and to help defray the costs associated with the frequent use of town services, including, but not limited to public safety personnel, code compliance personnel and managerial personnel associated with the policing of rental dwellings there shall be a registration fee for each rental unit covered under the provisions of this article. The Town, through the zoning official, shall collect registration fees in accordance with the fee schedule established by town council resolution, as amended, for the purposes of administering this article, as follows: (a) \$300.00 per unit for rentals of 30 days or less; (b) \$50.00 per unit for rentals over 30 days, but not to exceed a total of \$1,000.00 (20 units) for any one property owner. Any owner who is required to file the registration form on or before December 31 of each year, and who does not file on time, shall, in addition to any other applicable penalties provided for in Article 9, be required to pay a late fee established by town council resolution, provided that no late fee shall be imposed if the record owner registers within 30 days of initiating a rental. of \$300.00. ~~Rental units owned by the South Kingstown Housing Authority and rental units that are deed restricted as affordable housing shall be exempt from the registration fee. The fee schedule shall be revised on an annual basis.~~

Sec. 554. – Filing deadline after passage.

The deadline for filing following the passage of this ordinance shall be March 31, 2026, which shall cover the effective period from January 1, 2026 to December 31, 2026. Registration thereafter shall be done annually in accordance with Section 552(c).

Secs. 554555—599. - Reserved.

* * *

This Ordinance shall take effect retroactive to December 20, 2025.

F. Matthew Moynihan, Chief of Police reviews a request for a renewal of a Mutual Aid Agreement between the Town of South Kingstown and Town of Narragansett for police services within the Village of Jerusalem.

Discussion ensues relative to emergency services being able to access Beach Row beyond the private gate, public beach parking management, and the history and purpose of the Mutual Aid Agreement.

UNANIMOUSLY VOTED: to authorize the Town Manager to execute a Mutual Aid Agreement between the Town of South Kingstown and the Town of Narragansett for the provision of police services within the Village of Jerusalem, for a three-year term, with annual compensation to the Town of South Kingstown in an amount not to exceed \$8,000, as further described in a memorandum from the Police Chief to the Town Manager dated December 17, 2025 entitled “Mutual Aid Agreement with the Town of Narragansett – Village of Jerusalem”.

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G. Lucas Murray, Deputy Town Manager/DOAS reviews a request to dissolve the Sustainability Committee and incorporate them into the Conservation Commission, noting that the two organizations share a similar mission which will provide for a seamless transition, that each has been losing membership and the dissolution will aid with full staffing, and that a provision has been included for current Sustainability Committee members to receive preference in applying to the Conservation Commission for a three-month period.

UNANIMOUSLY VOTED: to dissolve the Sustainability Committee and amend the charge of the Conservation Commission to incorporate sustainability-related advisory functions, as further described in a memorandum from the Deputy Town Manager to the Town Manager dated January 6, 2026, entitled "Dissolution of the Sustainability Committee and Merger of Functions with the Conservation Commission."

H. James Rabbitt, Planning Director reviews a request to accept Magnolia Lane into the Town's system of roads and a request for a Public Hearing to install a stop sign on Magnolia Lane at the intersection with Oak Street.

Discussion ensues relative to the process of road acceptance.

Mike Ursillo, Town Solicitor reviews the criteria for a road to be accepted.

UNANIMOUSLY VOTED: to accept Magnolia Lane into the Town's system of roads, as further described in a memorandum from the Planning Director to the Town Manager dated December 29, 2025, entitled "Magnolia Lane Road Acceptance."

I. UNANIMOUSLY VOTED: to authorize the Town Clerk to advertise for Order of Notice a Public Hearing to consider proposed amendments to the Town Code, Chapter 10 Motor Vehicles and Traffic, Article II Stopping, Standing and Parking, Section 10-12, Boulevard and Street Stop Signs Designated for the installation of a stop sign on Magnolia Lane at its intersection with Oak Street as follows:

CHAPTER - 10 MOTOR VEHICLES AND TRAFFIC, Article II – STOPPING, STANDING & PARKING

Sec. 10-12 – Boulevard and street stop signs designated.

Add:

Magnolia Lane. Traffic to stop at intersection with Oak Street intersection

10. TOWN MANAGER'S REPORT

A. The Town Manager reviews a request by the Planning Director to hold a Work Session relative to a discussion of Form-Based Code for Old Tower Hill Road.

The Planning Director reviews the purpose for requesting the Work Session and offers the proposed dates of February 12, February 19, or February 26, 2026.

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Discussion ensues relative to the mock-up work performed by Able City detailing the proposed project, a letter received from Costanza Realty opposing the project, and concerns of keeping the scope of work consistent with the historical aesthetic of the Town.

The Town Council reaches consensus to schedule a Work Session with the Planning Department relative to Form-Based Code for Old Tower Hill Road on February 26, 2026 from 6:30 to 8:30 PM.

Further discussion ensues relative to using Form-Based Code to maintain architectural standards to prevent unwanted commercial expansion in Town.

11. PUBLIC HEARINGS

A. Notice having been duly given, a Public Hearing is held relative to a renewal of an Indoor Shooting Range License in accordance with the South Kingstown Town Code, Chapter 9 Licenses and Miscellaneous Business Regulation, Article VI Indoor Shooting Ranges, Sec. 9-158 Term of License, Renewal, Transfer. Application by IDGR15, LLC d/b/a Elite Indoor Gun Range, by Mark A. Fay, Member for property located at 371 Rose Hill Road, Wakefield, RI 02879 and designated as Assessor's Plat 33, Lot 30, consisting of 121.57 acres.

Sven Soderberg and James Waugh testify.

Council President McEntee invites residents to come forward with comments.

There being no comments on this Public Hearing, it is

UNANIMOUSLY VOTED: to close the Public Hearing.

UNANIMOUSLY VOTED: to renew an Indoor Shooting Range License in accordance with the South Kingstown Town Code, Chapter 9 Licenses and Miscellaneous Business Regulation, Article VI Indoor Shooting Ranges, Sec. 9-158 Term of License, Renewal, Transfer. Application by IDGR15, LLC d/b/a Elite Indoor Gun Range, by Mark A. Fay, Member for property located at 371 Rose Hill Road, Wakefield, RI 02879 and designated as Assessor's Plat 33, Lot 30, consisting of 121.57 acres.

B. Notice having been duly given, a Public Hearing is held relative to proposed amendments to the Town Code Chapter 9 Licenses and Miscellaneous Business Regulations, Article IX Short-Term Rentals, as follows:

AMENDMENTS TO THE TOWN CODE CHAPTER 9 – LICENSES AND MISCELLANEOUS BUSINESS REGULATIONS * * * ARTICLE IX – SHORT-TERM RESIDENTIAL RENTALS RESERVED

~~Sec. 9-200. – Applicability.~~

~~The provisions of this article shall apply to all short term rentals within the town.~~

~~Sec. 9-201. – Definitions.~~

~~The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:~~

~~*Record owner* means the property owner of record, as identified by the town's tax records.~~

~~*Registrar* means the zoning enforcement officer of the town.~~

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Short-term rental means the use and enjoyment of a dwelling unit, or any portion thereof, by guests for a period of less than thirty (30) consecutive days, in exchange for money, commodities, services, or other performances. Hotels, motels, tourist homes, and bed-and-breakfasts, as defined in the Town Code, are not considered to be short-term rentals.

Sec. 9-202. – Registration.

(a) Required. No short-term rental shall be let, leased or otherwise permitted to be occupied, in whole or in part, by a tenant for residential and/or dwelling purposes unless and until the record owner has registered such short-term rental with the building official.

(b) Form. The short-term rental registration form shall indicate the tax assessor's plat and lot number address of the short-term rental, the number of short-term rental dwelling units and bedrooms therein, the name and permanent mailing address of the record owner, and the maximum number of tenants at one (1) time, and period of occupancy (summer, September to June, or other). All short-term rental registration applications shall be signed and properly notarized by the record owner.

(c) Filing date; term. On or before December 31 of each year, the record owner of the short-term rental shall file the completed short-term rental registration form with the registrar, which registration shall be valid for a one-year period from January 1 to December 31 of the following year. If the property is registered during the calendar year, the registration shall be valid until December 31 of that same year.

Sec. 9-203. – Posting of notice by owner.

The record owner shall post in plain view, in a conspicuous place within the short-term rental, a notice containing the ordinances of the town with regard to the dog leash law, trash disposal, parking restrictions, noise ordinance, dwelling occupancy limits, unruly gatherings, and any other pertinent ordinance or law which the council may deem appropriate from time to time. Such notices shall be available at the office of the registrar. The record owner or any person in control or possession of said short-term rental subject to the provisions of this article, shall cause a copy of the current lease and registration form required by this article to be posted or affixed to the inside of the primary access door to said short-term rental so as to allow the lease and registration form to be readily available for inspection by police, zoning, building, or minimum housing officials of the Town of South Kingstown.

Sec. 9-204. – Penalty for violation of article.

Record owners who violate the provisions of this article shall be subject to a fine not exceeding three hundred dollars (\$300.00).

Sec. 9-205. – Fee.

To defray the cost of implementing and overseeing compliance with this article and to help defray the costs associated with the frequent use of town services, including, but not limited to, public safety personnel, code compliance personnel and managerial personnel associated with the policing of short-term rental dwellings, there shall be a registration fee of one hundred dollars (\$100.00) for each short-term rental covered under the provisions of this article.

* * *

This Ordinance shall take effect upon passage.

The Town Solicitor notes that this ordinance is being repealed due to the adoption of a Rental Dwellings ordinance on October 14, 2025, which is not exclusive to short-term rentals.

James Gorman, Building Official references a Rhode Island Superior Court decision which renders the short-term rental registration unenforceable.

Discussion ensues relative to the Superior Court decision, the purpose of repealing the ordinance, and clarification the difference between the short-term rental ordinance and the proposed zoning ordinance amendments.

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The Town Manager notes the rental registration program adopted October 14, 2025, the extension of the registration deadline, and the need for all rental property owners to register.

There being no comments on this Public Hearing, it is

UNANIMOUSLY VOTED: to close the Public Hearing.

UNANIMOUSLY VOTED: to adopt amendments to the Town Code Chapter 9 Licenses and Miscellaneous Business Regulations, Article IX Short-Term Rentals, as follows:

AMENDMENTS TO THE TOWN CODE CHAPTER 9 – LICENSES AND MISCELLANEOUS BUSINESS REGULATIONS * * * ARTICLE IX – SHORT-TERM RESIDENTIAL RENTALS RESERVED

~~Sec. 9-200. – Applicability.~~

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~~Sec. 9-201. – Definitions.~~

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~~Record owner means the property owner of record, as identified by the town's tax records.~~

~~Registrar means the zoning enforcement officer of the town.~~

~~Short term rental means the use and enjoyment of a dwelling unit, or any portion thereof, by guests for a period of less than thirty (30) consecutive days, in exchange for money, commodities, services, or other performances. Hotels, motels, tourist homes, and bed and breakfasts, as defined in the Town Code, are not considered to be short term rentals.~~

~~Sec. 9-202. – Registration.~~

~~(a) Required. No short term rental shall be let, leased or otherwise permitted to be occupied, in whole or in part, by a tenant for residential and/or dwelling purposes unless and until the record owner has registered such short term rental with the building official.~~

~~(b) Form. The short term rental registration form shall indicate the tax assessor's plat and lot number address of the short term rental, the number of short term rental dwelling units and bedrooms therein, the name and permanent mailing address of the record owner, and the maximum number of tenants at one (1) time, and period of occupancy (summer, September to June, or other). All short term rental registration applications shall be signed and properly notarized by the record owner.~~

~~(c) Filing date; term. On or before December 31 of each year, the record owner of the short term rental shall file the completed short term rental registration form with the registrar, which registration shall be valid for a one year period from January 1 to December 31 of the following year. If the property is registered during the calendar year, the registration shall be valid until December 31 of that same year.~~

~~Sec. 9-203. – Posting of notice by owner.~~

~~The record owner shall post in plain view, in a conspicuous place within the short term rental, a notice containing the ordinances of the town with regard to the dog leash law, trash disposal, parking restrictions, noise ordinance, dwelling occupancy limits, unruly gatherings, and any other pertinent ordinance or law which the council may deem appropriate from time to time. Such notices shall be available at the office of the registrar. The record owner or any person in control or possession of said short term rental subject to the provisions of this article, shall cause a copy of the current lease and registration form required by this article to be posted or affixed to the inside of the primary access~~

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~~door to said short term rental so as to allow the lease and registration form to be readily available for inspection by police, zoning, building, or minimum housing officials of the Town of South Kingstown.~~

~~Sec. 9-204. — Penalty for violation of article.~~

~~Record owners who violate the provisions of this article shall be subject to a fine not exceeding three hundred dollars (\$300.00).~~

~~Sec. 9-205. — Fee.~~

~~To defray the cost of implementing and overseeing compliance with this article and to help defray the costs associated with the frequent use of town services, including, but not limited to, public safety personnel, code compliance personnel and managerial personnel associated with the policing of short term rental dwellings, there shall be a registration fee of one hundred dollars (\$100.00) for each short term rental covered under the provisions of this article.~~

~~* * *~~

This Ordinance shall take effect upon passage.

12. PUBLIC COMMENTS

Council President McEntee invites residents to come forward with comments.

Council Member Bergner reviews previous discussion of the rental registration relative to fees being integrated into the Town Fee Schedule.

Discussion ensues relative to what was previously adopted.

13. COMMUNICATIONS

A. Dorothy Hill, Bicycle-Pedestrian Advisory Committee (BPAC) Chair is present and reviews her request for additional funding toward the Town's Pavement Management Program for pedestrian and bicyclist enhancements.

The Town Manager reviews the Town's disappointment in not receiving a grant through the Safe Streets and Roads for All Grant Program.

Richard Bourbonnais, Public Services Director reviews CIP funds set aside for engineering and implementation of low-cost improvements requested by the BPAC.

Discussion ensues relative to safety feature implementation and the difference between CIP funds and the Town's Pavement Management Program.

UNANIMOUSLY VOTED: to adjourn at 9:37 PM.

Nichole C. Romane
Town Clerk