



March 3, 2026

Honorable Chairman Stephen M. Casey
House Municipal Government and Housing Committee
Rhode Island State House
Providence, RI 02903

RE: H 8001 – An Act Relating to Health and Safety – State Building Code – Administration and Enforcement

Dear Chairman Casey and Committee Members:

Please accept the following comments from our organization, the RI Chapter of the American Planning Association, regarding this bill, which amends Chapter 23-27.3-1.1, the State Building Code, to allow for a new type of temporary shelter (SAFE Units) upon declaration of an emergency by a municipality, or by local zoning ordinance.

This bill contains many technical amendments to the State Building Code for health and safety standards for these units. We must defer to expertise of health and safety code professionals for the requirements proposed for these SAFE Units. However, when this bill was reviewed at our organization's Legislative Committee meeting, two practical concerns arose that could warrant being addressed by an amended version of this bill:

1. Perhaps explicitly so, the proposed state statute does not provide any limit or guidance regarding the maximum density of these SAFE units, beyond the requirement of a distance separation from one another of ten (10) feet. Is the proposed maximum density to be capped at a parcel's capacity to maintain 10 foot separations of these units? If the density limit is to be determined by the emergency declaration by the municipality, for clarity that should be explicitly stated in the law.
2. In authorizing these new temporary shelters on an emergency basis, there is no clear mechanism for what happens at the end of the limited period of time for which their units have been authorized under the zoning code as an allowable use. The maximum allowable duration of time that these units could be authorized for is 180 days per year. There are no provisions for the orderly removal of the structures at that time. The orderly enforcement of these time-limited authorizations as an allowable use is unclear and could result in varying outcomes by communities due to the bill's silence on this issue.

Thank you for your time and consideration.

Sincerely,

Sean Henry & Gregory Guertin
Legislative Committee Co-Chairs