



## TOWN OF NARRAGANSETT

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**Stephen H. Marsella, Esq.**  
Assistant Town Solicitor

March 7, 2024

Honorable Chairman Stephen Casey  
Municipal Government and Housing Committee  
Rhode Island State House  
Providence, Rhode Island

**Re: H- 7382 – Proposes to Change Household Definition**

Dear Chairman Casey and Committee Members:

Please accept these comments from the Town of Narragansett regarding Bill H-7382, a bill that amends the definition of “Household” in the Zoning enabling act.

The Town of Narragansett has submitted a resolution in opposition to the proposed changes to definition of the word “Household” and respectfully requests that the General Assembly retain the existing “household” definition in the state’s enabling legislation for municipal zoning ordinances. Currently there are multiple active lawsuits pending in both the State and Federal Court system on this very issue which should give the House pause to amend the enabling legislation at this time.

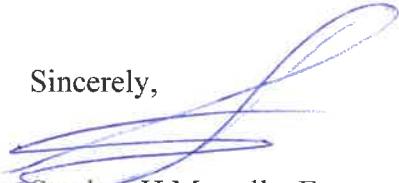
The definition, as currently in Section 45-24-31, enables municipalities to limit the number of unrelated people living in a single-family dwelling to 3 or more people. The state’s current definition of “household” is well established law and zoning practice in Rhode Island and in states across the nation. The legality of limiting the number of unrelated persons living in a dwelling unit to 3 has been upheld by the US Supreme Court. Today, over 30 Rhode Island municipalities include this definition in their zoning ordinance. Over 20 Rhode Island municipalities limit the number of unrelated people living in a single-family dwelling to 3 and others set the limit at 4.

H-7382 proposes to change the existing definition and replaces it with “one person per bedroom and shall not exceed five (5) unrelated persons per dwelling.” The proposed definition change would upend current zoning law and allow every single-family dwelling to be used as a rooming house with rental by the bedroom. Further, the proposed definition would make it illegal for two or three unrelated people from living together in a dwelling that only has one or two bedrooms. This use is permitted under the current definition of “household.”

In an effort to help retain affordable housing and attract families, the Town of Narragansett has undertaken zoning enforcement actions based on the number of unrelated persons living in single-family homes. These enforcement actions are being appealed through legal challenges to this provision in the local zoning regulations. H-7382 is an effort to undermine the validity of municipality's zoning regulations during a legal appeal process.

The Town of Narragansett respectfully requests that the Committee not approve H-7382 and retain the current definition of household in the state's enabling legislation.

Sincerely,

A handwritten signature in blue ink, appearing to read "Stephen H Marsella", with a large, stylized flourish extending upwards and to the right.

Stephen H Marsella, Esq.  
Assistant Town Solicitor