



TOWN OF MIDDLETOWN
350 East Main Road – Middletown, Rhode Island 02842

Building Inspections and Zoning
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Information regarding Appeals

**To appeal a decision of the Planning Board or a decision of the Building Official:
Section 901 of the Zoning Code states:**

- (A) The Zoning Board of Review shall:
- (1) Hear and decide appeals in a timely fashion as authorized by Article 3
 - (2) Act as a Planning Board of Appeals to hear and decide any appeal from an action taken by the Board as authorized by Article 3
 - (3) Act as a Building Code Board of Appeals.
- (B) In using this power, the Zoning Board may affirm, reverse, or modify the order, requirement, decision or determination appealed from and may make such order, requirement, decision or determination as ought to be made and to that end shall have all the powers of the Zoning Officer or Planning Board from whom the appeal was taken.

All applicable zoning codes pertaining to Appeals are in Article 3 and Article 9 of the Zoning Ordinance.

**To appeal a decision of the Zoning Board of Review:
Rhode Island General Law Title 45: Section 45-24-69:**

(a) An aggrieved party may appeal a decision of the zoning board of review to the superior court for the county in which the city or town is situated by filing a complaint stating the reasons of appeal within twenty (20) days after the decision has been recorded and posted in the office of the city or town clerk. The decision shall be posted in a location visible to the public in the city or town hall for a period of twenty (20) days following the recording of the decision in the office of the city or town clerk. The zoning board of review shall file the original documents acted upon by it and constituting the record of the case appealed from, or certified copies, together with the other facts that may be pertinent, with the clerk of the court within thirty (30) days after being served with a copy of the complaint. When the complaint is filed by someone other than the original applicant or appellant, the original applicant or appellant and the members of the zoning board are made parties to the proceedings. The appeal shall not stay proceedings upon the decision appealed from, but the court may, in its discretion, grant a stay on appropriate terms and make any other orders that it deems necessary for any equitable disposition of the appeal.

Refer to Rhode Island General Law for more information regarding the Appeal of a Zoning Board Decision.