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## CBIA drops lawsuit against county over impact fee

By Larry Hannan

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The Collier Building Industry Association has dropped a lawsuit it filed against Collier County that alleged the county's government building impact fee was unconstitutional.

Under the joint dismissal order, CBIA is voluntarily dismissing its complaint without prejudice, Collier County is dismissing without prejudice all defenses asserted against CBIA and each party will pay their own attorney's fees.

Mike Pettit, chief assistant county attorney, told Collier commissioners the suit had been dismissed today. County officials said they didn't know why the suit had been dismissed, and declined to comment on the situation.

Money collected from the impact fee goes toward constructing government buildings that provide services to new residents. CBIA had argued the county can't prove growth creates the need for more government buildings.

Impact fees are one-time assessments on new construction that are intended to make growth pay for growth. They are assessed for each new home and business built in the county and paid by developers, who typically pass them on to consumers in the form of higher prices.

Local building industry leaders opposed the government building impact fee before it went into effect in April 2004. They contended the impact fee would discourage low-income homeowners and businesses from coming to the area because the fee makes it more expensive to build homes and stores.

After the impact fee was passed, CBIA sued.

Before creating the local government building impact fee, Collier County paid for the construction of government buildings out of its general fund.

Collier now has 10 impact fees. The fees also are charged for roads, parks, schools, fire departments, jail facilities and emergency medical services, water, sewers and law enforcement.

The cost of all the impact fees is now about \$30,000 for someone building a 2,000-square-foot single-family home.

*Find additional coverage in Thursday's edition of the Daily News.*

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