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## North Port fees for roads not forgotten

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Opposition from Southwest Florida home builders has not swayed North Port from collecting a fee to help repair local roads damaged by construction traffic.

North Port's imposition for the per-square-foot fee on new building prompted lawsuits from developers, including the North Port Contractors Association and the Home Builders Association of Manatee-Sarasota.

Developers feared the fee might set a precedent that other area local governments would follow. But the litigation was shelved last year as construction in the region dried up. Builders said they hoped to resolve the dispute without litigation.

However, there have been no serious talks, and the city now says it is free to spend the \$931,000 collected so far for road repairs.

For now, the city is keeping the revenue stream of 50 cents per square foot for houses and 75 cents a square foot for commercial buildings.

"The two lawsuits were voluntarily dismissed and the time to file for others who have paid is passed," said City Attorney Rob Robinson via e-mail. "I don't believe the city can be on the hook for using this money at this point in time."

Builders still hope to rescind the law in the future and said the city should be cautious about spending the money.

"That might be a mistake," said Nick Bonsky of the North Port Contractors, noting that the group will continue to lobby North Port to cancel the fee that builders see as an obstacle to an economic rebound.

Despite North Port's apparent success in generating more money, Sarasota County has reservations about the fee.

Builders have called it an illegal impact fee on top of the transportation fee they already pay.

Impact fees are one-time charges to offset the additional burden of growth on infrastructure, including new or wider roads to handle more vehicles.

Sarasota County Administrator Jim Ley said that the county does not plan to follow North Port's lead, noting the county does not have the hundreds of miles of crumbling roads North Port is dealing with after decades of neglect.

Collections from the fee have dwindled in the recession. Last month, the city took in \$3,493.

Repairs on Price, Cranberry and Raintree boulevards and other roads will wipe out the fund and take years to replenish at the current rate of construction in North Port.

"We got \$1 million," said City Commission Chairman David Garofalo. "In these times, I'm not going to complain about that."



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