

Print Up to 5 copies

You print copies on the honor system; we trust that you will only make up to 5.

Need more than 5 copies? See [other print options](#).



July 18, 2009

Cactus Needles

Tribune Editorial

Short takes from the Tribune Editorial Board...

Whatever the outcome in the Goldwater Institute's lawsuit against Mesa over the city's cultural impact fee, the Legislature needs to address exactly what kind of services are supposed to be funded with these taxes on future growth.

The Goldwater Institute is appealing Tuesday's court ruling [<http://www.eastvalleytribune.com/story/141783>] that would allow Mesa to continue attaching the cultural fee to the construction of new homes. The institute is convinced museums and art attractions are not necessary services, which is the standard in state law.

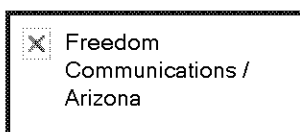
But Maricopa County Superior Court Judge Douglas Rayes said last week the law doesn't define "necessary," which provides wide latitude for local governments to decide what kind of impact fees can be charged.


There are some limits, as the state Supreme Court previously ruled Apache Junction couldn't charge impact fees to help fund the local schools. But Rayes' ruling suggests any impact fee that directly funds a city program would be legal, as long as the City Council considers it "necessary."

That likely was not the Legislature's intent, and lawmakers probably should limit their use to basic services such as public safety and traffic.

Speaking of impact fees, Queen Creek could single-handedly reignite efforts by homebuilder lobbyists to cut off the access of all local governments to this revenue source.

Only intervention by Gov. Jan Brewer stopped the Legislature from imposing a three-year moratorium on all impact fees. Now, only two weeks after Brewer twice came to the rescue of cities and counties on this issue, Queen Creek is proposing to launch a new impact fee for water services, Tribune writer Amanda Keim reported [<http://www.eastvalleytribune.com/story/141768>]. Homebuilders argue this kind of step in the middle of a recession is why a statewide moratorium is needed.



 2009 Freedom Communications / Arizona. Permission granted for up to 5 copies. All rights reserved.
You may forward this article or get additional permissions by typing http://license.icopyright.net/3.7220?icx_id=141868 into any web browser. Freedom Communications / Arizona and East Valley/ Scottsdale Tribune logos are registered trademarks of Freedom Communications / Arizona . The iCopyright logo is a registered trademark of iCopyright, Inc.

SPONSORS
(Ads will not print)

Ads by Google 

**Texas RE License -
Online**

Online Real Estate
License Program
Nationally Accredited,
Call Today!

www.RealEstateLicense.com/Tex

ms terminal server

Secure Remote Access
Solution Free 30 Days
Demo. Download Now!

www.Ericom.com/TerminalServer

**Exchange For
BlackBerry®**

Get The Facts About
BlackBerry® Exchange
Solutions for
Enterprises.

BlackBerry.com/GetTheFacts

**Dedicated Server
Hosting**

Cost-Effectively Protect
Data With Great
Hardware Platform.
Visit Now!

DedicatedServer.com/Managed-S

**License & Permit
Bonds**

We Provide Bonds In
All 50 States.
Regardless of Credit
888-518-8011

Bond007.net