

News

JUDGES UPHOLD ROAD IMPACT FEE

By *The Record*

July 15, 2009

SAN ANDREAS - Calaveras County's government has won a long-simmering legal dispute about the legality of the fee it charges on new construction to pay the costs of roads required to serve those projects.

Calaveras County Counsel Jim Jones said a panel of judges at the Third Appellate District Court in Sacramento upheld the county's Road Impact Mitigation fee program Tuesday "on all issues."

Developers Guy Meyers and Roy Hifai filed a lawsuit in 2004 claiming that the fee was improper, because the fees they paid on their project near Valley Springs could be spent to improve roads miles away near San Andreas.

A Calaveras County Superior Court judge in 2007 concluded that the program was proper and that the Board of Supervisors had considered all the evidence presented to it before it adopted the fees.

The Road Impact Mitigation fee in Calaveras County is \$4,062 per single-family home.

The fees were adopted in 2004 after a citizens group sued the county for failing to adopt a road fee called for in the county's 1986 General Plan.