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**CITY COUNCIL AGENDA ITEM**

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**TO:** Mayor & City Council

**DATE:** September 29, 2011

**FROM:** John McDonough, City Manager

**AGENDA ITEM:** Resolution Authorizing a Temporary Moratorium on the Collection of Impact Fees

**MEETING DATE:** For Submission onto the October 4, 2011, City Council Meeting Agenda

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**BACKGROUND INFORMATION:** *(Attach additional pages if necessary)*

See attached:

Memorandum  
Resolution

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**APPROVAL BY CITY MANAGER:**                     JFM                     APPROVED

\_\_\_\_\_  
NOT APPROVED

**PLACED ON AGENDA FOR:**           10/4/2011          

**CITY ATTORNEY APPROVAL REQUIRED:** (  ) YES (  ) NO

**CITY ATTORNEY APPROVAL:**                     AM                    

**REMARKS:**



To: John McDonough, City Manager

From: Nancy J. Leathers, AICP, Acting Director of Community Development *ijl*

Date: September 28, 2011 for Submission onto the October 4, 2011 City Council Work Session

Subject: Resolution Authorizing a Temporary Moratorium of the Collection of Impact Fees

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***Background:***

In 2008, pursuant to the 1990 Georgia Development Impact Fee Act, the Mayor and Council of the City of Sandy Springs authorized the adoption of the Sandy Springs Impact Fee Program and Ordinance.

***Discussion:***

The City has recently experienced a downturn in economic activity due to the national recession, resulting in a significant decrease in development activity. The Mayor and City Council have expressed a desire to provide incentives to boost economic development and commercial and/or residential construction activity in the City.

At this time staff is recommending that the Mayor and City Council place a temporary moratorium on the collection of development impact fees imposed by the Ordinance. Staff's proposal would be applicable to permits applied for or issued on or after July 1, 2011 through December 31, 2012. This temporary timeframe would allow staff time to analyze whether the moratorium has the effect of boosting economic development and new construction in the City.

***Staff Recommendation:***

At this time, staff is recommending APPROVAL of a resolution to authorize a temporary moratorium on the collection of impact fees.

cc: Wendell Willard, City Attorney  
Cecil McLendon, Assistant City Attorney

STATE OF GEORGIA

RESOLUTION NO. 2011-XX-XX

COUNTY OF FULTON

**RESOLUTION OF THE  
CITY COUNCIL OF THE CITY OF SANDY SPRINGS, GEORGIA,  
AUTHORIZING A TEMPORARY MORATORIUM OF THE  
COLLECTION OF DEVELOPMENT IMPACT FEES**

**WHEREAS**, in 2008, pursuant to O.C.G.A § 36-71-1 *et seq*, the 1990 Georgia Development Impact Fee Act, the Mayor and Council of the City of Sandy Springs (“City”) authorized the adoption of the Sandy Springs Impact Fee Program and Ordinance (“Ordinance”), codified as Chapter 107 of the Code of the City of Sandy Springs, Georgia (“Code”); and

**WHEREAS**, the City has recently experienced a downturn in economic activity due to the national recession, resulting in a significant decrease in development activity; and

**WHEREAS**, the City desires to provide an incentive to boost economic development and commercial and/or residential construction activity in the City by placing a temporary moratorium on the collection of development impact fees imposed by the Ordinance; and

**WHEREAS**, the City intends for the temporary moratorium to remove a financial impediment by lowering the costs of permits for property improvements and new construction, which should result in the initiation of new construction projects and the completion of construction projects now underway; and

**WHEREAS**, the City intends for this moratorium to be a short-term measure applicable to permits applied for or issued on or after July 1, 2011 through December 31, 2012, and desires to use this specific time period to analyze whether the moratorium has the effect of boosting economic development and new construction in the City; and

**WHEREAS**, the temporary moratorium shall not affect the validity of any studies, master plans, or data supporting the calculation, imposition or expenditure of suspended impact fees;

**NOW, THEREFORE, BE IT SO RESOLVED BY THIS COUNCIL OF THE CITY OF SANDY SPRINGS, GEORGIA, AND IT IS RESOLVED BY THE AUTHORITY OF SAID COUNCIL THAT:**

By passage of this resolution, the City of Sandy Springs Mayor and City Council authorize placing a temporary moratorium on the collection of development impact fees

applicable to permits applied for or issued on or after July 1, 2011 through December 31, 2012.

**RESOLVED** this \_\_\_\_\_ day of \_\_\_\_\_, 2011.

Approved:

\_\_\_\_\_  
Eva Galambos, Mayor

Attest:

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Michael Casey, City Clerk

Seal: