

Fiscal Estimate Narratives

DOA 2/27/2012

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|----------------------------------------------------------------------------------------------------------------------|-----------|---------------------|---------|---------------|----------|
| LRB Number | 11-3145/3 | Introduction Number | AB-0562 | Estimate Type | Original |
| Description Limiting the authority of a city, village, or town to enact a development moratorium ordinance | | | | | |

Assumptions Used in Arriving at Fiscal Estimate

AB 562 would specifically enable municipalities to enact a development moratorium if they have a comprehensive plan or are in the process of developing one and if they meet certain conditions. Under AB 562 in order to enact a development moratorium ordinance the governing body must adopt a resolution stating either that a moratorium is needed to prevent a shortage in or the overburdening of its public facilities or that a moratorium is needed to address a significant threat to the public health or safety. In either case, the municipality must obtain a written report from a professional engineer stating that the possible effect on public facilities, or the possible threat to public health or safety, justifies the need for a moratorium.

AB 562 also defines the elements that must be included in a municipal moratorium, including a statement describing the problem giving rise to the need for the moratorium, the actions the municipality intends to take to address the problem, and the length of time the moratorium will apply. The moratorium may remain in effect only until the municipality addresses the problem, or for 12 months, whichever occurs first. The bill also authorizes the municipality to extend the moratorium for six months if the problem is not addressed.

There would not be a fiscal impact on DOA as the bill does not effect the comprehensive planning review process or require DOA staff to review other items needed to enact a development moratorium.

If a municipality chooses to adopt a development moratorium ordinance costs may be incurred to comply with the provisions of the bill, including obtaining a written report from a professional engineer or registered health official.

Long-Range Fiscal Implications

None for the Department.