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H.791

Introduced by Representatives Masland of Thetford, Anthony of Barre City,
and Cole of Hartford

Referred to Committee on

Date:

Subject: Municipal government; affordable housing; impact fees

Statement of purpose of bill as introduced: This bill proposes to require
municipalities to collect an impact fee upon issuing a permit to build a house
over 5,000 square feet.

An act relating to impact fees and affordable housing

It is hereby enacted by the General Assembly of the State of Vermont:

Sec. 1. 24 V.S.A. chapter 131 is amended to read:

CHAPTER 131. IMPACT FEES

§ 5200. PURPOSE

It is the intent of this chapter to enable municipalities to require the
beneficiaries of new development to pay their proportionate share of the cost
of affordable housing, municipal, and school capital projects that benefit them
and to require them to pay for or mitigate the negative effects of construction.

§ 5201. DEFINITIONS

As used in this chapter:

1 (1) ~~“Municipality” means a town, a city, or an incorporated village or an~~
2 ~~unorganized town or gore.~~ “Affordable home” or “affordable housing” means
3 a residential home that contains not more than 5,000 square feet of living
4 space, including the square footage of an attached accessory dwelling unit as
5 defined in chapter 117 of this title.

6 (2) “Capital project” means:

7 (A) any physical betterment or improvement including furnishings,
8 machinery, apparatus, or equipment for such physical betterment or
9 improvement, including the construction of affordable housing;

10 (B) any preliminary studies and surveys relating to any physical
11 betterment or improvement;

12 (C) land or rights in land; or

13 (D) any combination of these.

14 (3) “Impact fee” means a fee levied as a condition of issuance of a
15 zoning or subdivision permit that will be used to cover any portion of the costs
16 of an existing or planned capital project, including the construction of
17 affordable housing, that will benefit or is attributable to the users of the
18 development or to compensate the municipality for any expenses it incurs as a
19 result of construction. The fee may be levied for recoupment of costs for
20 previously expended capital outlay for a capital project that will benefit the
21 users of the development.

