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Rome attorney wins impact fee battle

12/13/07

By Bryant Steele, Rome News-Tribune Staff Writer

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Rome attorney Andy Davis successfully fought a challenge to a Newton County impact fee ordinance this week. The county can now use the fees imposed on new construction for recreation and parks, library and transportation projects.

It was a prolonged battle. The Newton County Board of Commissioners approved the impact fee ordinance in March 2005. The state and local homebuilders associations filed suit against the county later that year.

The associations kept the suit alive by appealing all the way to Georgia's Supreme Court, which in September refused to hear the case. In the interim, the county had made several changes to the ordinance to address allegations in the lawsuit.

At issue back in Newton County Superior Court Monday was the impact fees slated for road improvements, and whether residential development had a disproportionate share of the burden. Davis argued the law doesn't provide a specific formula for funding proportions, and the judge agreed.


Davis is with the law firm Brinson, Askew, Berry, Seigler, Richardson and Davis. Former Chief Justice Norman Fletcher is now with the firm, and Davis said Thursday his firm was brought into the case precisely because of Fletcher's expertise in constitutional law.

[Click here to read more about the case.](#)

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- Oklahoma
- Hawaii
- I like the current matchup

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