

Department of Planning and Budget 2008 Fiscal Impact Statement

1. Bill Number: SB766

House of Origin Introduced Substitute Engrossed
Second House In Committee Substitute Enrolled

2. Patron: Colgan

3. Committee: Counties, Cities and Towns

4. Title: **Demolition of historic structures and areas; civil penalty.**

5. Summary: This bill authorizes a county to adopt an ordinance that establishes a civil penalty for the demolition of a building, structure, or site designated as an historic area, cemetery or grave without the approval of the architectural review board or the governing body of the county. The bill adds to the civil penalty, the value of developing and implementing a plan for data recovery that has been approved by the Department of Historic Resources in consultation with the county. The bill defines “plan for data recovery” as a strategy for retrieving and documenting historical information from an archaeological or architectural resource or resources, a landscape, or a cemetery.

6. Fiscal Impact Estimates: Preliminary. See Item 8.

7. Budget Amendment Necessary: No.

8. Fiscal Implications: This bill is permissive in nature as localities must choose to adopt ordinances that protect historic sites in order for penalties to be assessed. If a locality elects to adopt such ordinances, then this bill increases the civil penalty for demolition, razing or moving a building or structure or area, by the value of developing and implementing a plan for data recovery. The bill designates the Department of Historic Resources (DHR), in consultation with the county, as being responsible for evaluating and approving any data recovery plans.

DHR estimates that compiling a data recovery plan by a qualified professional could cost anywhere from \$1,000 to \$5,000, and data recovery action would cost from \$5,000 to \$100,000, depending on the size and complexity of the site and the extent of the damage. Data recovery operations are by nature very labor intensive.

DHR anticipates that only a few violations will result from this bill, although it depends on the action of local governments in adopting these ordinances and on the number of violations. Accordingly, the fiscal impact is dependent on the number of violations, although DHR estimates that any fiscal impact resulting from this bill should be minimal.

DHR predicts that the largest share of administrative costs resulting from this bill will fall on the localities. Should a locality choose to adopt an ordinance that protects historic areas,

including cemeteries and archeological sites (as are included by this bill), they would be responsible for enforcing such ordinances.

9. Specific Agency or Political Subdivisions Affected: The Department of Historic Resources.

10. Technical Amendment Necessary: None.

11. Other Comments: None.

Date: 2/15/2008 dpbaek

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cc: Secretary of Natural Resources
Secretary of Finance