

Town of Dundee, Florida
Business Impact Estimate
§166.041(4), Fla. Stat. (2024)

On October 1, 2023, Senate Bill 170 (“SB 170”), *Chapter 2023-309, Laws of Florida*, was enacted amending Section 166.041, Florida Statutes, requiring a local government to prepare a *business impact estimate* before the enactment of an ordinance.

On October 1, 2024, Senate Bill 1628 (“SB 1628”), as codified under *Chapter 2024-145, Laws of Florida*, becomes effective and further amends Section 166.041, Fla. Stat. (2023).

This *Town of Dundee Business Impact Estimate* (“BIE”) is provided in accordance with Section 166.041(4), Florida Statutes (2024); and Section 166.041(a) of the Florida Statutes states, in pertinent part, as follows:

Before the enactment of a proposed ordinance, the governing body of a municipality shall prepare or cause to be prepared a *business impact estimate* in accordance with this subsection. The *business impact estimate* **must be** posted on the municipality’s website *no later than the date the notice of proposed enactment is published pursuant to paragraph (3)(a)*¹ and must include all of the following:

1. A summary of the Ordinance, including a statement of the *public purpose* to be served by the Ordinance, such as serving the public health, safety, morals, and welfare of the *Town of Dundee, Florida*.
2. An *estimate of the direct economic impact* of the Ordinance on *private, for-profit businesses in the Town of Dundee, Florida*, including the following, if any:
 - a. An estimate of *direct compliance costs* that businesses may reasonably incur if the Ordinance is enacted;
 - b. Identification of any *new charge or fee on businesses* subject to the Ordinance, or for which businesses will be financially responsible; and
 - c. An *estimate of the municipality’s regulatory costs*, including an estimate of revenues from any new charges or fees that will be imposed on businesses to cover such costs.
3. A *good faith estimate* of the number of businesses likely to be impacted by the Ordinance.
4. Any additional information the *Town Commission of the Town of Dundee* determines may be useful.

If one (1) or more boxes are checked below, this means the *Town of Dundee* is of the view that a *business impact estimate* is not required pursuant to applicable Florida law; however, the *Town of Dundee* is, nevertheless, providing this BIE to avoid any procedural issue(s) that may impact the enactment of *Town of Dundee Ordinance No. 25-03*(hereafter the “Ordinance”).

¹ Ordinances that change the actual list of permitted, conditional, or prohibited uses within a zoning category, or ordinances initiated by the municipality that change the actual zoning map designation of a parcel or parcels of land shall be enacted pursuant to §166.041(3)(c), *Fla. Stat. (2024)*.

Town of Dundee, Florida
Ordinance No. 25-09

This BIE may be revised following its initial posting.

- ☒ The Ordinance is required for compliance with Federal or State law or regulation;
- ☐ The Ordinance relates to the issuance or refinancing of debt;
- ☐ The Ordinance relates to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget;
- ☐ The Ordinance is required to implement a contract or an agreement, including, but not limited to, any Federal, State, local, or private grant or other financial assistance accepted by the *Town of Dundee, Florida*;
- ☐ The Ordinance is an emergency ordinance;
- ☐ The Ordinance relates to procurement; or
- ☒ The Ordinance is enacted to implement the following:
- a. *Development orders and development permits*, as those terms are defined in §163.3164, *Florida Statutes (2024)*, and *development agreements*, as authorized by the Florida Local Government Development Agreement Act under §§ 163.3220 – 163.3243, *Florida Statutes (2024)*;
 - b. Comprehensive plan amendments and land development regulation amendments *initiated by an application by a private party other than the municipality*;
 - b. §§ 190.005 and 190.046, *Florida Statutes (2024)*;
 - c. §553.73, *Florida Statutes (2024)*, relating to the Florida Building Code; or
 - d. §633.202, *Florida Statutes (2024)*, relating to the Florida Fire Prevention Code.

Notwithstanding the identified and noted exemption(s) above, if applicable, pursuant to the provisions of §166.041(4), *Florida Statutes (2024)*, and applicable Florida law, the *Town of Dundee* hereby publishes the following information:

1. Summary of the Ordinance (must include a statement of the public purpose, such as serving the public health, safety, morals, and welfare):

The proposed ordinance updates the Town's methodology for calculating Equivalent Residential Connections (ERCs) and incorporates revised potable water and wastewater demand standards into the Town Code and Land Development Code. The ordinance establishes updated definitions, clarifies procedural requirements for development review, and standardizes water-usage calculations for the purposes of capacity evaluation and long-range capital planning.

The purpose is to:

- Ensuring accurate and consistent evaluation of potable water system demand.
- Supporting long-term capital planning and infrastructure investment.

Town of Dundee, Florida
Ordinance No. 25-09

- Aligning local regulations with industry best practices and updated utility planning standards.
- Providing transparency and predictability for developers, businesses, and property owners.
- Protecting the public by ensuring that water system capacity is sufficient to meet future growth.

2. An estimate of the direct economic impact of the Ordinance on private, for-profit businesses in the Town of Dundee, Florida, if any:

The ordinance is not expected to impose direct financial costs on existing businesses. However, potential indirect or future impacts may include:

- Revised ERC calculations may adjust water-capacity allocations required for certain new development or redevelopment projects.
- Developers of higher-demand uses may experience changes in calculated ERC totals, which could influence utility capacity fees, if applicable in the future.
- Administrative impacts are minimal, as the ordinance primarily updates technical definitions rather than imposing new compliance requirements.
-

No new fees, penalties, or reporting obligations are created by this ordinance.

3. Good faith estimate of the number of businesses likely to be impacted by the proposed Town of Dundee Ordinance No. 25-09:

The ordinance may have a minimal impact on small businesses, primarily in cases where new construction, change of use, or site redevelopment triggers updated ERC calculations. Any such impacts are tied to:

- Utility demand associated with the proposed use;
- Standard development review procedures that already apply.

No disproportionate or unreasonable burdens are expected for small businesses.

4. Additional information the Town Commission of the Town of Dundee deems useful (if any):

The ordinance improves administrative efficiency and ensures that utility capacity planning meets current standards. It is not expected to have a material impact on business competitiveness, local employment, or economic development within the Town.

The ordinance does not create any new fees or reporting requirements for businesses.

Potential impacts may include:

- For new construction or redevelopment projects, ERC calculations may change based on updated water-usage standards.
- Businesses proposing new or expanded uses may see adjustments in how their water demand is calculated, which could affect future capacity planning.

Existing businesses that are not changing their use or expanding their buildings will not be affected.