

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. 25-07

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):

This ordinance establishes local requirements for mandatory structural inspection compliance for condominium and cooperative buildings, as required by Section 553.889(11), *Florida Statutes (2025)*. The ordinance creates Section 14-5 of the Town Code and mandates that condominium and cooperative associations (or individual unit owners, where applicable) must schedule or commence repairs identified in a Phase Two Structural Inspection Report within 365 days of the Town's receipt of that report.

The ordinance implements state-mandated structural inspection repair timelines and provides local enforcement authority and administrative procedures.

Town of Dundee, Florida
Ordinance No. 25-07

This ordinance serves the following public purposes:

- Ensuring compliance with revised state laws relating to condominium and cooperative building safety.
- Protecting residents and the public by requiring timely corrective action when substantial structural deterioration is identified.
- Reducing risks associated with unsafe buildings or delayed maintenance.
- Establishing predictable local procedures for associations and unit owners.
- Enhancing structural integrity oversight within the Town.

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

Potential economic impacts include:

- **Repair Costs:** Associations or owners may incur significant costs to complete structural repairs. However, these costs originate from state law requirements and not from Town-imposed regulations.
- **Administrative Compliance:** Associations may incur costs for contracting engineers, submitting documentation, or responding to Town notices.
- **Capital Planning Impacts:** Associations may need to modify their budgeting practices to ensure financial reserves are sufficient to address required repairs.

The ordinance does not impose:

- New fees charged by the Town
- Additional taxes
- Ongoing permitting costs beyond existing inspection-related duties
- New operational restrictions on unrelated businesses

3. Good faith estimate of the number of businesses likely to be impacted by the proposed *Town of Dundee Ordinance No. 25-07*:

Small businesses are not expected to be impacted as a result of this ordinance.

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

This ordinance provides procedural clarity while ensuring that the Town can effectively enforce structural safety requirements. The economic impacts on affected associations are primarily the result of state law, and the ordinance itself adds no additional financial burdens beyond what is necessary for compliance.