

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.

The number of businesses impacted equals the number of active commercial water and/or sewer utility accounts in the Town’s service area.

4. Any additional information the *Town Commission of the Town of Dundee* determines may be useful.

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).

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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 establishes a requirement that the appointment and/or termination of the Town Attorney must be approved by a four-member super majority vote of the Town Commission. The ordinance amends Chapter 2 of the Code of Ordinances by creating Section 2-37 to formalize this voting requirement. The ordinance is procedural in nature and governs internal operations of the Town Commission.

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

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The Town of Dundee estimates that the proposed ordinance will have no direct impact on private, for-profit businesses within the Town. The ordinance pertains solely to the internal governance procedures of the Town Commission regarding the appointment and termination of the Town Attorney and does not regulate, restrict, or impose requirements on businesses operating within the Town.

3. Good faith estimate of the number of businesses likely to be impacted by the proposed *Town of Dundee Ordinance No. 26-03*:

The Town estimates that this ordinance will not impose any new charges, fees, or assessments on businesses.

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

The Town of Dundee determines that the proposed ordinance establishing a four-commissioner super majority voting requirement for the appointment and/or termination of the Town Attorney will have no direct economic impact on private, for-profit businesses and does not impose any new compliance costs, fees, or regulatory requirements.

Accordingly, the Town finds that the economic impact of this ordinance on businesses is minimal to none.