

# Business Impact Estimate

*This form should be included in the agenda packet for the item under which the proposed ordinance is to be considered and must be posted on the Town's website by the time notice of the proposed ordinance is published.*

Proposed ordinance's title: AN ORDINANCE OF THE TOWN OF HIGHLAND BEACH, FLORIDA, AMENDING SECTION 4-8 "LIGHTING RESTRICTIONS FOR PROTECTION OF SEA TURTLES" OF CHAPTER 4, "ANIMALS," AND SECTION 30-85 "COASTAL LIGHTING" OF CHAPTER 30, "ZONING," OF THE TOWN CODE OF ORDINANCES TO INCORPORATE LIGHTING REGULATIONS FOR NEW AND EXISTING COASTAL STRUCTURES IN ORDER TO MINIMIZE THE EFFECT OF ARTIFICIAL LIGHT ON SEA TURTLE POPULATIONS; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY AND CODIFICATION; AND PROVIDING AN EFFECTIVE DATE

This Business Impact Estimate is provided in accordance with section 166.041(4), Florida Statutes. If one or more boxes are checked below, this means the Town is of the view that a business impact estimate is not required by state law<sup>1</sup> for the proposed Ordinance, but the Town is, nevertheless, providing this Business Impact Estimate as a courtesy and to avoid any procedural issues that could impact the enactment of the proposed Ordinance. This Business Impact Estimate may be revised following its initial posting.

- The proposed ordinance is required for compliance with Federal or State law or regulation;
- The proposed ordinance relates to the issuance or refinancing of debt;
- The proposed ordinance relates to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget;
- The proposed 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 municipal government;
- The proposed ordinance is an emergency ordinance;
- The ordinance relates to procurement; or
- The proposed ordinance is enacted to implement the following:
  - a. Part II of Chapter 163, Florida Statutes, relating to growth policy, county and municipal planning, and land development regulation, including zoning, development orders, development agreements and development permits;
  - b. Sections 190.005 and 190.046, Florida Statutes, regarding Community Development Districts;
  - c. Section 553.73, Florida Statutes, relating to the Florida Building Code; or
  - d. Section 633.202, Florida Statutes, relating to the Florida Fire Prevention Code.

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<sup>1</sup> See Section 166.041(4)(c), Florida Statutes.

In accordance with the provisions of controlling law, even notwithstanding the fact that an exemption noted above may apply, the Town hereby publishes the following information:

**1. Summary of the proposed ordinance including a statement of the public purpose to be served, such as serving the public health, safety, morals and welfare of the municipality:** The Town of Highland Beach recognizes that nesting adult and hatchling sea turtles are negatively affected by light pollution created by artificial light visible from any portion of the beach. The Town desires to minimize the detrimental effects on nesting sea turtle populations by implementing regulations that reduce the amount of artificial light, intentionally or unintentionally visible from beaches, emanating from new or existing residences.

**2. An estimate of the direct economic impact of the proposed ordinance on private, for-profit businesses in the Town, 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, or for which businesses will be financially responsible; and**

**(c) An estimate of the Town's regulatory costs, including estimate of revenues from any new charges or fees that will be imposed on businesses to cover such costs.**

(a) For new construction, the increased cost of adding tinted glass would be approximately five (5) percent of the cost of the window or door itself, not the total job cost. Using the Delray Sands Resort as an example, the following estimated costs would apply:

- Estimated cost per window (48"x48"): \$500.00
- Tinting cost: 5% of \$500.00 = \$25.00 per window
- Total windows facing the ocean: 50
- Total compliance cost: \$25 x 50 = \$1,250

For existing exterior lighting, the cost of replacing certain lighting fixtures with sea turtle friendly shielded fixtures ranges from approximately \$10.50 to \$90.00 per fixture. The cost of adding a sea turtle friendly shield to existing lighting fixtures ranges from approximately \$9.46 to 16.00 per shield. The cost of replacing certain non-long wavelength bulbs with a long wavelength bulb is approximately \$6.49 to 38.00 per bulb. Note that the replacement of other light fixtures such as pole lamps with low profile sea turtle friendly lamps will vary in price depending on the aesthetic and size of such light sources. Estimates for the latter start at approximately \$200.00.

(b) There are no new charges or fees associated with this Ordinance aside from the costs relating to tinted glass, the replacement of lighting fixtures and bulbs, and/or the addition of a sea turtle friendly shields on an existing lighting fixtures.

(c) There are no new revenues from charges or fees on businesses expected.

**3. Good faith estimate of the number of businesses likely to be impacted by the proposed ordinance:** The only business in the Town is the Delray Sands Resort which is located on the eastside of State Road A1A (beachfront).

**4. Additional information the governing body deems useful (if any):**