

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 City's website by the time notice of the proposed ordinance is published.

Proposed ordinance's title/reference:

AN ORDINANCE OF THE CITY OF LAKE CITY, FLORIDA, CONCERNING CODE ENFORCEMENT AND FORGIVENESS OF CODE ENFORCEMENT LIENS AMENDING THE DEFINITION OF "VIOLATOR" IN CHAPTER 2, ARTICLE X, SECTION 2-413 OF THE CITY OF LAKE CITY, FLORIDA CODE OF ORDINANCES; PROVIDING FOR LIEN FORGIVENESS AND FORGIVENESS OF FINES AND LIENS ASSOCIATED WITH CODE ENFORCEMENT PROCEEDINGS BY AMENDING CHAPTER 2, ARTICLE XI OF THE CITY OF LAKE CITY, FLORIDA CODE OF ORDINANCES; PROVIDING FOR SEVERABILITY, PROVIDING FOR CODIFICATION AND SCRIVENOR'S ERRORS; PROVIDING FOR CONFLICTS, 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 City is of the view that a business impact estimate is not required by state law¹ for the proposed ordinance, but the City 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;

¹ See Section 166.041(4)(c), Florida Statutes.

- 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.

In accordance with the provisions of controlling law, the City hereby publishes the following information:

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

The City Council recognizes the need to assess fines and record liens against those property owners who violate the ordinances of the City from time to time. The City Council also recognizes the need to temper the effects of the assessment of fines and the effects of liens against violators and their properties and finds the need to create a code enforcement lien forgiveness program. The City Council desires to further assist the community and finds the creation of a code enforcement lien forgiveness program is in the best interests of the City and its citizens. Two years following the date upon which an order for fines and costs is entered pursuant to which a lien against real property is based, the proposed code enforcement lien forgiveness program would allow a person with standing under the ordinance to have all code enforcement liens forgiven and judgments satisfied upon confirmation the relevant parcel of property has been brought into compliance with all relevant codes, AND upon payment of \$1,500 to the City to cover the City's estimated costs in administering the code enforcement program.

2. An estimate of the direct economic impact of the proposed ordinance on private, for-profit businesses in the City, if any:

The estimated direct economic impact on a private, for-profit business having a code violation that has resulted in a lien against real property would be \$1,500. In most cases, this amount would be less than the cost to such private, for-profit businesses to pay the full costs of the judgment resulting in the lien. Notwithstanding, such a private, for-profit business would also incur the cost of code compliance for the relevant real property.

(a) An estimate of direct compliance costs that businesses may reasonably incur;

Estimated direct compliance costs a business would incur would be the cost of code compliance, plus the \$1,500 fee to cover the City's estimated costs in administering the code enforcement program.

(b) Any new charge or fee imposed by the proposed ordinance or for which businesses will be financially responsible; and

A new fee in the amount of \$1,500 would be payable in lieu of the amount of the relevant code enforcement judgment amount.

(c) An estimate of the City's regulatory costs, including estimated revenues from any new charges or fees to cover such costs.

The City's estimated regulatory costs for the code enforcement program and associated lien forgiveness program is estimated to be at least \$1,500 per judgment lien forgiven. Estimated revenues from the lien forgiveness program are \$1,500 per code enforcement lien forgiven. Such \$1,500 fee is in lieu of payment of the code enforcement judgment amount, which would presumably be a savings to the judgment debtor.

3. Good faith estimate of the number of businesses likely to be impacted by the proposed ordinance:

Fewer than 50 businesses. Most liens are against non-businesses and non-business entities.

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

The proposed ordinance is a generally applicable ordinance that applies to all persons similarly situated (i.e., to individuals as well as businesses) and, therefore, the proposed ordinance does not affect only businesses.