

## Business Impact Estimate

Florida law requires that before the County adopts a new ordinance, it must prepare a Business Impact Estimate that complies with Sec. 125.66(3), Fla. Stat. There are several exemptions to this requirement, which are outlined in the statute. This Business Impact Estimate form is provided to document compliance with and exemption from the requirements of Sec.125.66(3), Fla Stat. If one or more boxes are checked below under "Applicable Exemptions," this indicates that Indian River County has determined that a business impact estimate is not required by law for the proposed ordinance. If no exemption is identified a business impact estimate is required by Sec. 125.66(3), Fla. Stat. and must be provided in the "Business Impact Estimate" section below. This Business Impact Estimate Form may be revised following its initial posting.

### Proposed ordinance's title/reference:

**AN ORDINANCE RELATING TO THE PROVISION OF SERVICES, FACILITIES, PROGRAMS AND LOCAL IMPROVEMENTS IN INDIAN RIVER COUNTY, FLORIDA; REPEALING CHAPTER 206 OF THE INDIAN RIVER COUNTY CODE OF ORDINANCES ENTITLED "SPECIAL ASSESSMENTS" AND ADOPTING A NEW MASTER CAPITAL AND SERVICE ASSESSMENT ORDINANCE; AUTHORIZING THE IMPOSITION AND COLLECTION OF SPECIAL ASSESSMENTS AGAINST PROPERTY WITHIN INDIAN RIVER COUNTY; PROVIDING CERTAIN DEFINITIONS AND DEFINING THE TERMS "ASSESSMENT," "SERVICE ASSESSMENT," AND "CAPITAL ASSESSMENT"; PROVIDING FOR THE CREATION OF ASSESSMENT AREAS; ESTABLISHING THE PROCEDURES FOR IMPOSING CAPITAL AND SERVICE ASSESSMENTS; ESTABLISHING PROCEDURES FOR NOTICE AND ADOPTION OF ASSESSMENT ROLLS; PROVIDING THAT ASSESSMENTS CONSTITUTE A LIEN ON ASSESSED PROPERTY UPON ADOPTION OF THE ASSESSMENT ROLL; PROVIDING THAT THE LIEN FOR AN ASSESSMENT COLLECTED PURSUANT TO SECTIONS 197.3632 AND 197.3635, FLORIDA STATUTES, UPON PERFECTION SHALL ATTACH TO THE PROPERTY ON THE PRIOR JANUARY 1, THE LIEN DATE FOR AD VALOREM TAXES; PROVIDING THAT A PERFECTED LIEN SHALL BE EQUAL IN RANK AND DIGNITY WITH THE LIENS OF ALL STATE, COUNTY, DISTRICT, OR MUNICIPAL TAXES AND ASSESSMENTS AND SUPERIOR IN DIGNITY TO ALL OTHER PRIOR LIENS, MORTGAGES, TITLES, AND CLAIMS; AUTHORIZING EXEMPTIONS; PROVIDING PROCEDURES FOR COLLECTION OF ASSESSMENTS; PROVIDING A MECHANISM FOR THE IMPOSITION OF ASSESSMENTS ON GOVERNMENT PROPERTY; DECLARING THE PROVISIONS OF THIS ORDINANCE TO BE SUPPLEMENTAL, ADDITIONAL, AND AN ALTERNATIVE METHOD; PROVIDING FOR APPLICABILITY AND SEVERABILITY; PROVIDING FOR CONFLICTS AND CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.**

### Applicable Exemptions

- ☐ 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. Comprehensive plan amendments and land development regulation amendments initiated by an application by a private party other than the County;
  - c. Sections 190.005 and 190.046, *Florida Statutes*, regarding community development districts;
  - d. Section 553.73, *Florida Statutes*, relating to the *Florida Building Code*; or
  - e. Section 633.202, *Florida Statutes*, relating to the *Florida Fire Prevention Code*.

**Business Impact Estimate:**

**Indian River County 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):

Local governments use non ad valorem assessments as a revenue source to fund certain services and the construction/maintenance of capital facilities that specially benefit property. This ordinance repeals the existing procedural special assessment provisions in Chapter 206 of the Indian River Code and replaces them with an updated consistent, comprehensive approach to forming both service and capital special assessments to comply with statutory requirements and to ensure due process for property owners.

- (a) An estimate of direct compliance costs that businesses may reasonably incur if the ordinance is enacted:

None. This is a procedural ordinance and does not impose any new costs.

- (b) Identification of any new charge or fee on businesses subject to the proposed ordinance, or for which businesses will be financially responsible:

None.

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

This ordinance will involve a few new additional procedures for the County to adopt new special assessments or renew them annually. There can be increased costs in the form of staff time and additional publishing costs to provide additional public notice.

3. A good faith estimate of the number of businesses likely to be impacted by the ordinance:

There will be properties owned by businesses that will have non ad valorem assessments imposed against them. The number is unknown. However, this ordinance is procedural and does not create any new assessments.

4. Additional information the governing body determines may be useful (if any):

N/A