

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 OF THE BOARD OF COUNTY COMMISSIONERS OF INDIAN RIVER COUNTY, FLORIDA AUTHORIZING AN EXTENSION OF THE TEMPORARY MORATORIUM FOR AN ADDITIONAL 1 YEAR, OR UNTIL A COMPREHENSIVE REVIEW OF THE IMPACT ON THE COUNTY’S ECOSYSTEM IS COMPLETED, WITHIN THE UNINCORPORATED AREAS OF INDIAN RIVER COUNTY PROHIBITING LAND APPLICATION ACTIVITIES OF CLASS B BIOSOLIDS; PROVIDING FOR ADDITIONAL STUDY AND POSSIBLE REGULATION OF CLASS B BIOSOLIDS APPLICATION ACTIVITIES; PROVIDING FOR EXHAUSTION OF ADMINISTRATIVE REMEDIES; AND PROVIDING FOR SEVERABILITY, REPEAL OF CONFLICTING PROVISIONS, AND 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):

This is an extension of an ordinance restricting the land application Class B Biosolids. The first such ordinance was enacted in 2018 and it has been renewed on a yearly basis since then. The ordinance protects public health and safety from Class B Biosolids leeching into the groundwater and polluting the County’s natural resources including, but not limited to, Blue Cypress Lake.

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

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

This is an extension of an existing ordinance. There are no direct compliance costs that will occur based upon the extension.

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

There are no new fees or charges associated with this ordinance.

- (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:

There is no cost associated with this ordinance and no new fees or charges.

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

Historically the County is only aware of one landowner who has used Class B Biosolids in land applications and currently there are none. It is unknown whether there are any other businesses that may be impacted by the extension.

Note to Staff: This form should be completed and included in the agenda packet for the item which the proposed ordinance is to be considered and must be posted on the Indian River County’s Website by the time notice of the proposed ordinance is published.

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

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