**Business Impact Estimate**

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

Proposed ordinance’s title/reference:

**Hypothetical Proposed Ordinance 23-101 Outdoor Amplified Sound**

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/Town/Village] is of the view that a business impact estimate is not required by state law[[1]](#footnote-1) for the proposed ordinance, but the [City/Town/Village] 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.  A development order or development permit, as defined in s. 163.3164, F.S.; a development agreement as authorized by ss. 163.3220-163.3243, F.S.; or a comprehensive plan amendment or land development regulation amendment initiated by an application by a private party other than the municipality;

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*.

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

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

Ordinance 23-101 is proposed for the purpose of imposing sound limits on outdoor amplified sound at establishments which offer alcoholic beverages for sale to protect public health and safety of patrons, nearby businesses, and residences. The ordinance prohibits outdoor amplified sound that exceeds specifies levels on Sunday to Thursday nights commencing at 11:00 p.m., and Friday and Saturday nights commencing at midnight, until 7:00 a.m. the following morning.

2. An estimate of the direct economic impact of the proposed ordinance on private, for-profit businesses in the [City/Town/Village], including the following, if any:

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

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

(c) An estimate of the [City’s/Town’s/Village’s] regulatory costs, including estimated revenues from any new charges or fees to cover such costs.

There are unlikely to be direct compliance costs associated with Ordinance 23-101. There may be indirect compliance costs incurred by business establishments that currently use outdoor amplified sound at noise levels and hours that would be prohibited by Ordinance 23-101. Such business establishments may be required to move amplified sound indoors or shorten the hours for outdoor amplified sound.

Ordinance 23-101 does not impose any new charge or fee on businesses.

The city may incur increased, indeterminate regulatory costs associated with code compliance. There are no new charges or fees that will be imposed on businesses by the ordinance.

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

The city estimates that \_\_\_\_ private, for-profit businesses serve alcoholic beverages in the city and, therefore, would potentially be subject to Ordinance 23-101. [cite source of data]

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

[*You may wish to include in this section the methodology or data used to prepare the Business Impact Estimate. For example: [City/Town/Village] staff solicited comments from businesses in the [City/Town/Village] as to the potential impact of the proposed ordinance by contacting the chamber of commerce, social media posting, direct mail or direct email, posting on [City/Town/Village] website, public workshop, etc. You may also wish to include efforts made to reduce the potential fiscal impact on businesses. You may also wish to state here that the proposed ordinance is a generally applicable ordinance that applies to all persons similarly situated (individuals as well as businesses) and, therefore, the proposed ordinance does not affect only businesses.*).

1. *See* Section 166.041(4)(c), *Florida Statutes*. [↑](#footnote-ref-1)