Business Impact Estimate Form
Instructions for Completion

Effective October 1, 2023, the Florida legislature passed Fla. Stat. §166.041(4), which requires that municipalities provide a business impact estimate when they adopt an ordinance. The new statute requires that the business impact statement be posted on the municipality's website no later than the date the notice of proposed enactment of the ordinance is published in the newspaper. In most cases for the City, the notice of proposed enactment of the ordinance is published in the newspaper after the first reading of the ordinance, 10 days in advance of the second reading of the ordinance. However, there are times when ordinances are required to be published prior to the first reading of an ordinance.

To ensure that we maintain compliance with the statute at all times and create as much consistency in the process, we are requiring that a completed **Business Impact Estimate Form** be posted on the City's website, https://www.sunrisefl.gov/departments-services/city-commission/commission-agendas/business-impact-estimates, by the department originating the ordinance, at the earliest of the following times:

1. Twenty-four (24) hours in advance of the notice of proposed enactment of the ordinance being published in the newspaper; **OR**
2. Prior to the creation of the agenda item in the NovusAgenda system for the **first reading** of the ordinance, whichever date is earlier.

While the City is requiring completion of the Business Impact Estimate Form for all proposed ordinances, there are some instances where Section B. of the Form is exempted and not required to be completed. The Business Impact Estimate Form provides further instructions on exemptions and completion of the impact estimate analysis, if required.

The department originating the ordinance is required to complete the Business Impact Estimate Form, upload the Form to the City's website, and upload the Form as an attachment to the agenda item requesting the first reading of the ordinance. The Business Impact Estimate Form should be marked as **non-public** in the NovusAgenda system. Additional questions regarding this new requirement can be directed to Emilie Smith at extension 3430. If anyone requires assistance with uploading the Form to the website, please contact Vince Villaneuva at extension 4622.

Business Impact Estimate Form

This Business Impact Estimate Form is provided in accordance with Section 166.041(4), Florida Statutes and must be included in the agenda item backup for each proposed ordinance on first reading. A Business Impact Estimate Form must be prepared and posted on the City's website for each ordinance by the date that the notice of the proposed ordinance is published, regardless of whether the ordinance is exempted under Section A. below. This Business Impact Estimate Form may be revised following its initial posting.

Title and C# of proposed ordinance:

An Ordinance of the City of Sunrise, Florida, approving a "Lease between City of Sunrise and Ghostorchid LLC" for City property located at 6772 Sunset Strip, Unit #8 and 6776 Sunset Strip, Unit #9; providing for conflict; providing for severability; and providing an effective date.

C#25052

The provisions contained in this Section A. constitute exemptions as provided in Section 166.041(4)(c). If one or more boxes are checked in Section A. below, a business impact estimate is not required by state law for the proposed ordinance.

Section A.

☐ 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 City;

☐ The proposed ordinance is an emergency ordinance;

☐ The proposed 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.

If an exemption in Section A. is applicable, then only Section A. needs to be completed. If there is no exemption in Section A., Section B. must be completed.

Section B. This section with the business impact estimate must be completed if the proposed ordinance does not meet any of the exemptions in Section A.

1. A summary of the proposed ordinance which must include a statement of the public purpose (e.g., public health, safety, morals and welfare).

2. An estimate of the direct economic impact of the proposed ordinance on private, for-profit businesses in the City, if any: (a) An estimate of direct compliance costs that businesses may reasonably incur; (b) Any new charge or fee on businesses subject to the proposed ordinance, or for which businesses will be financially responsible; and (c) An estimate of the City's regulatory costs, including an estimate of revenues from any new charges or fees to cover such costs.

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

4. Additional information/methodology for preparation, if any:

Prepared by: Danielle Lima, Economic Development Director
Print Name and Title

3/20/25
Signature and Date