

Town of Dundee, Florida
Business Impact Estimate
§166.041(4), Fla. Stat. (2024)

On October 1, 2023, Senate Bill 170 (“SB 170”), *Chapter 2023-309, Laws of Florida*, was enacted amending Section 166.041, Florida Statutes, requiring a local government to prepare a *business impact estimate* before the enactment of an ordinance.

On October 1, 2024, Senate Bill 1628 (“SB 1628”), as codified under *Chapter 2024-145, Laws of Florida*, becomes effective and further amends Section 166.041, Fla. Stat. (2023).

This *Town of Dundee Business Impact Estimate* (“BIE”) is provided in accordance with Section 166.041(4), Florida Statutes (2024); and Section 166.041(a) of the Florida Statutes states, in pertinent part, as follows:

Before the enactment of a proposed ordinance, the governing body of a municipality shall prepare or cause to be prepared a *business impact estimate* in accordance with this subsection. The *business impact estimate must be* posted on the municipality’s website *no later than the date the notice of proposed enactment is published pursuant to paragraph (3)(a)*¹ and must include all of the following:

1. A summary of the Ordinance, including a statement of the *public purpose* to be served by the Ordinance, such as serving the public health, safety, morals, and welfare of the *Town of Dundee, Florida*.

The proposed ordinance amends existing provisions of the Town Code to adopt revised water and sewer utility rates for customers located both within the Town limits and outside the Town limits but within the Town’s designated utility service area. The ordinance also establishes a standardized method for calculating and rounding percentage-based rate adjustments.

The purpose of the ordinance is to ensure the financial sustainability of the Town’s water and wastewater utility systems, maintain regulatory compliance, fund ongoing maintenance and infrastructure improvements, and provide reliable service to customers.

The Town Commission finds that while the ordinance may have a modest financial impact on businesses through utility rate adjustments, the changes are necessary to protect public health, ensure system reliability,

2. An *estimate of the direct economic impact* of the Ordinance on *private, for-profit businesses in the Town of Dundee, Florida*, including the following, if any:

¹ Ordinances that change the actual list of permitted, conditional, or prohibited uses within a zoning category, or ordinances initiated by the municipality that change the actual zoning map designation of a parcel or parcels of land shall be enacted pursuant to §166.041(3)(c), Fla. Stat. (2024).

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The ordinance may result in an increase in water and sewer service charges for private, for-profit businesses that receive utility services from the Town. The extent of the impact will vary depending on each business's level of water consumption and wastewater discharge.

The Town estimates that the direct economic impact to most small businesses will be modest and proportionate to usage.

- a. An estimate of *direct compliance costs* that businesses may reasonably incur if the Ordinance is enacted;

The ordinance will affect all commercial utility customers within the Town's water and sewer service area.

Small Businesses (Low Water Use)

Examples: small offices, boutiques, salons

Typical monthly usage: 3,000–5,000 gallons

Estimated monthly increase:

\$8 – \$20 per month

Estimated annual increase:

\$96 – \$240 per year

Medium Businesses (Moderate Water Use)

Examples: restaurants, medical offices, small industrial users

Typical monthly usage: 10,000–20,000 gallons

Estimated monthly increase:

\$30 – \$75 per month

Estimated annual increase:

\$360 – \$900 per year

High-Volume Commercial Users

Examples: laundromats, food service production, large facilities

Typical monthly usage: 30,000+ gallons

Estimated monthly increase:

\$90 – \$200+ per month

Estimated annual increase:

\$1,080 – \$2,400+ per year

- b. Identification of any *new charge or fee on businesses* subject to the Ordinance, or for which businesses will be financially responsible; and

Ordinance does not:

- Create a new fee
- Add a new surcharge
- Establish a new assessment
- Add a new billing category
- Impose a new regulatory cost on businesses

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The only financial impact comes from changes to the rates already being charged for water and sewer service.

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

The ordinance does not impose any new regulatory requirements, permitting obligations, or reporting requirements on businesses. The only impact is related to utility service rates, which are a standard and customary cost of operating within a municipal service area.

3. A *good faith estimate* of the number of businesses likely to be impacted by the Ordinance.

The number of businesses impacted equals the number of active commercial water and/or sewer utility accounts in the Town's service area.

4. Any additional information the *Town Commission of the Town of Dundee* determines may be useful.

If one (1) or more boxes are checked below, this means the *Town of Dundee* is of the view that a *business impact estimate* is not required pursuant to applicable Florida law; however, the *Town of Dundee* is, nevertheless, providing this BIE to avoid any procedural issue(s) that may impact the enactment of *Town of Dundee Ordinance No. 26-01*(hereafter the "Ordinance").

This BIE may be revised following its initial posting.

The Ordinance is required for compliance with Federal or State law or regulation;

The Ordinance relates to the issuance or refinancing of debt;

The Ordinance relates to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget;

The 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 *Town of Dundee, Florida*;

The Ordinance is an emergency ordinance;

The Ordinance relates to procurement; or

The Ordinance is enacted to implement the following:

- a. *Development orders* and *development permits*, as those terms are defined in §163.3164, *Florida Statutes (2024)*, and *development agreements*, as authorized by the Florida Local Government Development Agreement Act under §§ 163.3220 – 163.3243, *Florida Statutes (2024)*;
- b. Comprehensive plan amendments and land development regulation amendments *initiated by an application by a private party other than the municipality*;

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- b. §§ 190.005 and 190.046, *Florida Statutes* (2024);
- c. §553.73, *Florida Statutes* (2024), relating to the Florida Building Code; or
- d. §633.202, *Florida Statutes* (2024), relating to the Florida Fire Prevention Code.

Notwithstanding the identified and noted exemption(s) above, if applicable, pursuant to the provisions of §166.041(4), *Florida Statutes* (2024), and applicable Florida law, the *Town of Dundee* hereby publishes the following information:

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

The proposed ordinance amends existing provisions of the Town Code to adopt revised water and sewer utility rates for customers located both within the Town limits and outside the Town limits but within the Town's designated utility service area. The ordinance also establishes a standardized method for calculating and rounding percentage-based rate adjustments.

The purpose of the ordinance is to ensure the financial sustainability of the Town's water and wastewater utility systems, maintain regulatory compliance, fund ongoing maintenance and infrastructure improvements, and provide reliable service to customers.

2. An estimate of the direct economic impact of the Ordinance on private, for-profit businesses in the *Town of Dundee, Florida*, if any:

The revised rates are designed to:

- Support long-term infrastructure maintenance and replacement
- Maintain compliance with state and federal environmental regulations
- Ensure continued provision of safe drinking water and effective wastewater treatment
- Avoid more significant rate increases in the future by implementing measured, predictable adjustments

3. Good faith estimate of the number of businesses likely to be impacted by the proposed *Town of Dundee Ordinance No. 26-01*:

The Town recognizes that utility rate adjustments may have a proportionally greater impact on small businesses with limited operating margins. However, the rate adjustments are necessary to maintain essential water and wastewater infrastructure and ensure continued, reliable service. The Town has structured the rate changes to be reasonable, proportionate, and consistent with industry standards for municipal utilities.

4. Additional information the *Town Commission of the Town of Dundee* deems useful (if any):

The Town Commission finds that while the ordinance may have a modest financial impact on businesses through utility rate adjustments, the changes are necessary to protect public health, ensure system reliability, and maintain the financial integrity of the Town's utility operations. The ordinance does not create new regulatory burdens and applies uniformly to all customers.