



## Business Impact Estimate Form

This Business Impact Estimate Form is provided to document compliance with and exemption from the requirements of Sec. 166.041(4), Fla. Stat. If one or more boxes are checked below under “Applicable Exemptions”, this indicates that the City has determined that Sec. 166.041(4), Fla. Stat., does not apply to the proposed ordinance and that a business impact estimate is not required by law. If no exemption is identified, a business impact estimate required by Sec. 166.041(4), Fla. Stat. will be provided in the “Business Impact Estimate” section below. In addition, even if one or more exemptions are identified, the City may nevertheless choose to provide information concerning the proposed ordinance in the “Business Impact Estimate” section below. This Business Impact Estimate Form may be revised following its initial posting.

### Proposed ordinance’s title/reference:

**Ordinance No. 2024-06.** An Ordinance of the City of South Daytona, Florida, amending the City of South Daytona Code of Ordinances Chapter 21 “Consolidated Fee Schedule” to modify certain fees as shown in Attachment A which is attached hereto and incorporated into this Ordinance; and providing administrative actions, codification, conflicts, severability 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:

- 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;
- Sections 190.005 and 190.046, Florida Statutes, regarding community development districts;
- Section 553.73, Florida Statutes, relating to the Florida Building Code; or
- Section 633.202, Florida Statutes, relating to the Florida Fire Prevention Code.

**Business Impact Estimate:**

**The City hereby publishes the following information:**

- 1. A summary of the proposed ordinance (must include a statement of the public purpose, such as serving the public health, safety, morals and welfare):**

For many years, our city’s fees were scattered throughout our code and policy books making them difficult for our residents and commercial partners to locate them. In 2021, staff went through our entire library and compiled all fees into a Consolidated Fee Schedule (Ordinance No. 2021-05) which was publicly discussed and approved. The intent of this document was realized by the improvement of customer service and transparency of city operations.

The Consolidated Fee Schedule was drafted to allow staff to review the fees for sufficiency in September of each year during the budget process. Ordinance No. 2024-06 highlights those fees that staff believes needs to be revised to adequately cover costs. The vast majority of the proposed fee changes center around the increase in the Consumer Price Index (CPI) over the past year. It is important that our fees keep pace with the CPI as the price of consumer goods, such as concrete and asphalt, fluctuates. It is important to note that staff is not recommending that all fees be increased.

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

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

**Section 21-12. Building Permits and Inspection Fees**

Staff has included the 2% increase for permit and inspection fees as prescribed in Ordinance 2020-04 which was adopted in 2020. Ordinance 2020-04 stated that Permit Fees shall increase by 2% every October 1 starting in year 2020.

**Section 21-13. Transportation Impact Fees, Section 21-14. Water and Sewer Impact Fees**

**Section 21-15. Recreational Impact Fees, Section 21-16. Fire Impact Fees, and Section 21-17. Police Impact Fees**

Staff has included the increase of impact fees pursuant to Section 18-10(c)(3)(l), 20-17, 5-310(5), 8.5-62(f) and 8.5-71(f) of the Code of Ordinances, Transportation, Water and Sewer, Recreational, Fire and Police impact fees which states fees shall increase annually by the Consumer Price Index (CPI) as determined by the U.S. Department of Labor Statistics for the Southeast Region for All Consumer Goods for the twelve (12) months ending on August 31st prior to the effective date of the annual increase. The annual CPI increase first went into effect on October 1, 2020 and is adjusted annually without further action from the city council.

The CPI is typically available in the middle of September; therefore, the proposed changes are conservative estimates with the final adjustment being made before the second reading of the proposed Ordinance.

#### **Section 21-20. Utility Fees**

In accordance with the wholesale water and sewer purchase agreement with the City of Daytona Beach, the wholesale rates charged to South Daytona will be adjusted to provide for the recovery of estimated increase in the cost of providing service, to the extent possible, due to general inflation. The index that is used by Daytona Beach is the Water, Sewer, and Trash Collection Services Index from June of the preceding calendar year until June of the present calendar year. This year, the index calls for the wholesale rates beginning October 1 to increase by 4.59%. In order to stay in line with this increase, all utility water, sewer and stormwater fees have been tentatively increased by 4.59%. The City has contracted with Willdan Financial Services to perform a rate study for water, sewer, and stormwater rates. Suggested changes to rates as result of the rate study will be presented to the council for approval at the second reading of this ordinance.

#### **Section 21-21. Water Connection Fees, Section 21-22. Connection charges for use of water not entering sewer system, and Section 21-25. Sanitary Sewer Connection charges**

These rates are adjusted annually by the Consumer Price Index (CPI) as determined by the U.S. Bureau of Labor Statistics for the Water and Sewer and Trash Collection Services for the twelve (12) months ending on June 30th prior to the effective date of the annual increase. These adjusted amounts are needed due to Daytona Beach charging South Daytona for additional water and sewer capacity as additional users are connected to the utility system.

#### **Section 21-29. Stormwater Fees**

Staff has adjusted this rate based on the Consumer Price Index (CPI) as determined by the U.S. Bureau of Labor Statistics for the twelve (12) months ending on June 30th. Additional suggested changes to stormwater rates as result of the rate study will be presented to the council for approval at the second reading of this ordinance.

#### **Section 21-31. Fees for Waste Collection**

Staff has increased the fees for waste collection pursuant to Resolution No. 2006-19 which outlined that fees for waste collection shall increase annually on October 1 based the Consumer Price Index (CPI) and Fuel Adjustment. These increases are also outlined in our franchise agreement with WastePro.

#### **Section 21-43. Citations.**

Staff is proposing an increase of \$5.00 per Section 21-43 of the City Code which states these fines shall increase by \$5.00 each year. The fines include Mandatory Spay/Neuter, Littering, unlawful use of

Fireworks, Trespassing, Disorderly conduct, Disorderly intoxication, Possession of Alcohol, under 21, as well as Vessel Anchoring / Mooring which increased from \$170 to \$175.

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

No new charges are being proposed.

**(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:**

No additional regulatory costs.

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

All businesses will be impacted.

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

*Note: The City's provision of information in the Business Impact Estimate section above, notwithstanding an applicable exemption, shall not constitute a waiver of the exemption or an admission that a business impact estimate is required by law for the proposed ordinance. The City's failure to check one or more exemptions below shall not constitute a waiver of the omitted exemption or an admission that the omitted exemption does not apply to the proposed ordinance under Sec. 166.041(4), Fla. Stat., Sec. 166.0411, Fla. Stat., or any other relevant provision of law.*