



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 Village of Indiantown 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 Village of Indiantown 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. 07-2024 - AN ORDINANCE OF THE VILLAGE OF INDIANTOWN, FLORIDA, CREATING ARTICLE VIII, “WATER CONSERVATION – LANDSCAPE IRRIGATION”, OF CHAPTER 40, “UTILITIES”, OF THE VILLAGE OF INDIANTOWN CODE OF ORDINANCES; PROVIDING FOR LOCAL IMPLEMENTATION OF THE MANDATORY YEAR-ROUND LANDSCAPE IRRIGATION CONSERVATION MEASURES RULE OF THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT (CHAPTER 40E-24, F.A.C.); PROVIDING DEFINITIONS; PROVIDING FOR THE APPLICABILITY OF THE ARTICLE; PROVIDING THE LANDSCAPE IRRIGATION SCHEDULE; PROVIDING EXCEPTIONS TO THE LANDSCAPE IRRIGATION SCHEDULE; PROVIDING FOR A REQUIREMENT TO OPERATE TECHNOLOGY THAT INHIBITS OR INTERRUPTS AN IRRIGATION SYSTEM DURING PERIODS OF SUFFICIENT MOISTURE; PROVIDING FOR VARIANCES FROM THE SPECIFIC DAY OF THE WEEK LIMITATIONS; PROVIDING FOR ENFORCEMENT; PROVIDING FOR PENALTIES FOR VIOLATION; AND PROVIDING FOR FINDINGS, 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 Village of Indiantown 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):**

This ordinance adopts the South Florida Water Management District's (the "District") landscape irrigation conservation measures as ordinance requirements of the Village.

Under the District's adopted rule, the District's landscape irrigation conservation requirements are already mandatory for all "Users" (which includes individuals, businesses, and governments) within the Village. However, the District lacks sufficient resources to effectively enforce the requirements throughout the large part of the Florida the District encompasses. To address this, the District encourages counties and municipalities to adopt ordinances implementing the District's requirements, to increase effective enforcement.

To further incentivize counties and municipalities to adopt such ordinances, the District recently began to require such ordinance adoption as a prerequisite to applying for grant funding from the District. Village staff is presently planning to apply to the District for grant funding relating the Village's new water and wastewater projects.

Also attached to this agenda item is a handout created by the District explaining the basics of the District's landscape irrigation conservation measures. Under the District rule, even numbered street addresses may water on Wednesdays and Saturdays, and odd numbered addresses may water on Thursdays and Sundays. Generally, landscape irrigation is prohibited between the hours of 10:00 a.m. and 4:00 p.m., except as otherwise provided.

The ordinance provides, and the District handout outlines, various details and exceptions (for example, for new landscaping, and the use of reclaimed water).

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:**

As the South Florida Water Management District's landscape irrigation conservation requirements are already mandatory within the Village and throughout the entire District, no additional compliance costs are imposed.

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

The Ordinance does call for fines for violation (which are far lower than those that can be imposed by the District). The Ordinance provides the following: For a first violation, a written warning. For a second violation, a fine not to exceed \$25.00. For subsequent violations, a fine not to exceed \$50.00. If the user has no violations continuously during the one (1) year after the last violation, the user shall not be deemed to have prior violations for the purpose of counting violations.

- (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:**

Negligible, as regulation costs would be encompassed within the Village's general code enforcement program.

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

As the South Florida Water Management District's landscape irrigation conservation requirements are already mandatory within the Village and throughout the entire District, no additional regulatory impact on businesses is imposed.

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

***Note:** The Village'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 Village'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.*