

Business Impact Estimate

This form should be included in the agenda packet for the item under which the proposed ordinance is to be considered and must be posted on the Village's website by the time notice of the proposed ordinance is published.

Proposed ordinance's title/reference:

Ordinance No. 2024-12 An Ordinance of the Village Council of the Village of Estero, Florida, Creating Article II of Chapter 2 of the Village Code Regarding Security of and Trespasses from Village Properties and Facilities; Making Related Findings; and Providing for Severability, Codification and an Effective Date.

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 Village is of the view that a business impact estimate is not required by state law¹ for the proposed ordinance, but the 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. Development orders and development permits, as those terms are defined in Florida Statutes § 163.3164, and development agreements, as authorized by the Florida Local Government Development Agreement Act under Florida Statutes § 163.3220-163.3243;
 - b. Comprehensive plan amendments and land development regulation amendments initiated by an application by a private party other than the Village;
 - c. Sections 190.005 and 190.046, Florida Statutes, regarding community development districts;
 - d. Section 553.73, Florida Statutes, relating to the Florida Building Code; or
 - e. 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 Village hereby publishes the following information:

¹ See Section 166.041(4)(c), Florida Statutes.

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

The Village has become aware of a growing phenomenon of individuals gaining access to public buildings and meetings wearing video recording devices and intentionally acting in disruptive ways with the intent of recording reactions which may be posted on social media, often with a profit motive. While citizens have the ability to access public meetings, they do not have the right to disrupt such meetings, or to gain access to work areas not open to the public. The Village also owns or controls various properties. The ordinance attempts to address both disruptive recording of Village staff, as well as to establish property management rules and authorities, including a process to ensure persons trespassed from Village properties have adequate due process provided.

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

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

n/a

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

n/a

(c) An estimate of the Village's regulatory costs, including estimated revenues from any new charges or fees to cover such costs.

n/a

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

n/a

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

This ordinance is being proposed to ensure the Village's property management rules are in accordance with both relevant Florida statutes and prevailing caselaw on the management of public property.