



BOARD OF COUNTY COMMISSIONERS

Business Impact Estimate

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

Proposed ordinance's title/reference: Amendments to Chapter 102, Article II, "Business Tax Receipt," and Repealing and Reserving Section 62-1155, "Zoning approval for business tax receipt; approval of home occupations

Pursuant to Section 125.66, Florida Statutes, a business impact estimate is **not** required if any of the following statements apply. Check all that apply and include this page in the agenda packet for the proposed ordinance under consideration.

- 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
- The proposed ordinance is an emergency ordinance;
- The 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*.

In accordance with the provisions of Section 125.66, Florida Statutes, and in the absence of an exemption listed above, the County hereby publishes the following information:

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

The Brevard County Code of Ordinances establishes a process for the issuance of a business tax receipt (BTR) and incorporates the BTR review and approval process into other provisions of Code to ensure businesses are operating in accordance with County rules and regulations. For example, under Chapter 102, "Taxation," Article II, "Business Tax Receipt", Section 102-50, entitled "Zoning Use Permit," no BTR shall be issued for the use of any lands in the unincorporated areas of the County until the applicant procures a zoning use permit from Planning and Development. Additionally, Section 62-1155(a), Brevard County Code, requires "zoning approval for [a] business tax receipt." The County Attorney's Office has determined that such regulations are outdated; the County cannot precondition the Tax Collector's issuance of a BTR based on an incompatible use under local zoning regulations. In addition, Section 62-1155 requires a home occupation permit be obtained prior to acquiring a BTR. This is incompatible with current law, as Section 559.955, Florida Statutes, preempts local governments from regulating virtually all home-based businesses. Additionally, various scrivener errors are being corrected, and certain amendments are proposed to better streamline the BTR process for the citizenry.

2. Estimate of direct economic impact of the proposed ordinance on private, for-profit businesses in the County:

No zoning review will be required as part of the BTR issuance process, which currently has a fee of \$25 per review.

Estimated impact: \$25 per business for future Business tax receipts. Cumulatively, it is estimated that businesses will expend approximately \$18,500 per year less as a result of the Ordinance.

3. Estimate of direct compliance costs that businesses may reasonably incur if enacted:

No direct compliance costs for businesses are reasonably expected.

Estimated compliance costs: This would result in a reduction of compliance costs, of \$25 per application for business tax receipt.

4. Any new charge or fee imposed on businesses subject to the proposed ordinance, or for which businesses will be financially responsible:

No new charges or fees will be imposed by the proposed ordinance.

New charges or fees imposed: N/A

5. Estimate of the County's regulatory costs, including estimated revenues from any new charges or fees that will be imposed on businesses to cover such costs:

No increase in County regulatory costs is expected.

Estimated regulatory costs: This is expected to result in a reduction in regulatory costs.

6. Good faith estimate of the number of businesses likely to be impacted by the proposed ordinance: 19,000

7. Additional information that the Board of County Commissioners determines useful:

The primary purpose of this amendment is to comply with current State law.