

## **Business Impact Estimate**

**Directions:** Pursuant to Fla. Stat. s. 125.66(3)(c), as most recently amended by Ch. 2024-145, Laws of Florida, the County is required to prepare a Business Impact Statement for a range of ordinances. A list of ordinance exemptions is provided below. Please check all exemption boxes that apply to the proposed ordinance and provide the name/title date where indicated below.

- ☐ 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 Fla. Stat. s. 163.3164;
  - b. Comprehensive plan amendments and land development regulation amendments initiated by an application submitted by a private party other than the municipality;
  - 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.

Prepared by: Jon Jouben  
Printed Name/Title/Department

Date: 9-17-25

*Regardless of whether any of the boxes are checked, Include this completed page in the agenda packet.*

*If none of the boxes above are checked, complete the attached Business Impact Statement, and include the completed Business Impact Statement as part of the agenda package. **The completed Statement must be posted on the County's web site not later than the time notice of the proposed ordinance is published.***

# BUSINESS IMPACT STATEMENT

This Business Impact Estimate is provided in accordance with s. 125.66(3)(c), Florida Statutes. This Business Impact Estimate may be revised following its initial posting.

## ORDINANCE TITLE

AN ORDINANCE PROVIDING FOR THE BOARD OF COUNTY COMMISSIONERS TO HEAR APPEALS PERTAINING TO THE STANDARD UNSAFE BUILDING ABATEMENT CODE; MODIFYING THE STANDARD UNSAFE BUILDING ABATEMENT CODE; ENACTING RULES OF PROCEDURE FOR HEARING APPEALS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR THE REPEAL OF CONFLICTING PROVISIONS; AND PROVIDING FOR AN EFFECTIVE DATE.

## ORDINANCE SUMMARY *(must include a statement of the public purpose, such as serving the public health, safety, morals, or welfare):*

The proposed ordinance serves the interests of public economic efficiency and ensuring that the owners of allegedly unsafe structures are provided with due process of law.

The proposed ordinance makes three changes to Hernando County Code Chapter 8, Article II, Division 6. First, it adds a provision to Chapter 1 of the Standard Unsafe Building Abatement Code that will permanently allow the Board of County Commissioners (the "BOCC") to hear unsafe building appeals when the board that normally hears such appeals, the Board of Construction and Regulation (the "BCR"), lacks a quorum (Proposed Ordinance at Page 2, Lines 1-11). Second, it implements the recently-enacted Fla. Stat. § 50.0311 by allowing the County to provide the public with notice of an unsafe building appeal hearing on the County's website, as opposed to the Code's current requirement that the County publish such notice in a general circulation newspaper once a week for four consecutive weeks (Proposed Ordinance at Page 3, Lines 8-10). Third, it adopts procedures for unsafe building appeals that are substantively identical to those that the BOCC uses in all of its other quasi-judicial hearings (Proposed Ordinance at Page 4, Lines 14-17; and at Pages 5 through 8, passim).

ESTIMATE OF THE DIRECT ECONOMIC IMPACT OF THE PROPOSED ORDINANCE ON PRIVATE, FOR-PROFIT BUSINESSES IN THE COUNTY, IF ANY:

None.

ESTIMATE OF DIRECT COMPLIANCE COSTS THAT BUSINESSES MAY REASONABLY INCUR:

None.

DESCRIPTION OF NEW CHARGES/FEEs IMPOSED BY THE PROPOSED ORDINANCE OR FOR WHICH BUSINESSES WILL BE FINANCIALLY RESPONSIBLE:

None.

ESTIMATE OF THE COUNTY'S REGULATORY COSTS, INCLUDING ESTIMATED REVENUES FROM ANY NEW CHARGES OR FEES TO COVER SUCH COSTS:

None.

GOOD FAITH ESTIMATE OF THE NUMBER OF BUSINESSES LIKELY TO BE IMPACTED BY THE PROPOSED ORDINANCE:

None.

ADDITIONAL INFORMATION THE GOVERNING BODY DEEMS USEFUL (IF ANY):

Although Hernando County Code § 23-229(b)(1) classifies all of Chapter 8 as a land development regulation (“LDR”), the proposed ordinance does not enact any regulation that “affecting the use of land,” and as a result, it does trigger the notice and two-hearings requirements of Fla. Stat. § 125.66(5)(b). See *Galaxy Fireworks, Inc. v. City of Orlando*, 842 So. 2d 160, 165 (Fla. 5th DCA 2003) (holding fire code amendment subject to the heightened notice and hearing requirements because fire code “does not regulate what can be built on land, in the sense of land development, but rather it mandates requirements for the structure of a building, if used for certain purposes, in order to safeguard the public from fire hazards.”); *3299 N. Fed. Highway, Inc. v. Board of County Commissioners of Broward County*, 646 So. 2d 215, 224 (Fla. 4th DCA 1994), opinion clarified (Nov. 29, 1994) (“notice and hearing requirements are not usually imposed upon changes to municipal building or construction codes”);