

# 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 of Marathon 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 of Marathon 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 2026-21 Of The City Of Marathon, Florida, Modifying Section 32-34 (b) Of The City Code Of Ordinances, ‘Tow Away Zones’ In Order To Add A New Subsection (5) Entitled 107<sup>th</sup> Street / West Side; Providing For Severability; Providing For Incorporation Into The Code Of Ordinances; And Providing For 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:
  - Development orders and development permits, as those terms are defined in s.163.3164, and, development agreements, as authorized by the Florida Local Government Development Agreement Act under ss. 163.3220-163.3243;
  - Comprehensive Plan Amendments and land development regulation amendments initiated by an application by a private party other than the municipality;
  - 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 of Marathon 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):**

The tow away zone which is the subject of this Ordinance was requested by the Monroe County Mosquito Control District. The reason for the request is that vehicles frequently park on the west side of the 107<sup>th</sup> Street Right-Of-Way blocking the sidewalk, the bike path, and frequently stick out into the vehicle travel land in such a way as to be unsafe. Safe agrees with the premise and facts provided in the request and recommends approval for the adoption of this Ordinance.

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:**

None

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

If vehicles are towed because they fail to comply with the zone, they may be charged for tickets, towing, and towing recovery fees

- (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:**

This is a tow away zone not subject to City fees. It is subject to both ticketing and/or towing charges for failure to comply. Enforcement of tickets would occur through the Monroe County Sheriff's Office. Towing and associated costs would inure to the violator. Costs are unknown but should be de minimis once general compliance occurs.

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

None

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

NA

**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.*