



Business Impact Estimate

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

Proposed ordinance's title/reference:

Ordinance 24-45 Amending Chapter 78 "Relating to Water and Wastewater Utilities" of The City of Winter Garden Code of Ordinances.

This Business Impact Estimate is provided in accordance with Section 166.041(4), *Florida Statutes*. If one or more of the boxes are checked below, the checked exception(s) to the Business Impact Estimate requirement apply to the above-referenced proposed ordinance, although, the City is implementing the procedure otherwise required by law to ensure that no inadvertent procedural issue could impact the enactment of the proposed ordinance.

- 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 controlling law, even notwithstanding the fact that, an exemption noted above may apply, the City 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):

Ordinance 24-45 provides a series of amendments to the City's Code of Ordinances Chapter 78 Utilities in order to expand the existing Wastewater Treatment Plant. These changes are to meet State mandates concerning the treatment of wastewater and storage of reclaimed water. In order to fund the project, operate and maintain the facility, we need to increase the existing water and sewer rates. The proposed increases will be for the next five (5) years, increasing on January 1, 2025 and the following years on October 1 each year.

The City is proposing amendments to Code of Ordinances Chapter 78 Utilities to improve the health, welfare, safety of our community, and meet the State requirements.

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

The City anticipates the economic impacts to private, for-profit businesses will be minimal. The proposed increases in fees will cost the businesses between approximately \$5.50 - \$13.00 per month for the first year with similar increases each year for the next 4 years.

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

The proposed increases in fees will cost the businesses between approximately \$5.50 - \$13.00 per month with each yearly increase. With these increases, the yearly impact will be a maximum of \$156.00 per year in additional utility fees for water and sewer services.

4. Any new charge or fee imposed by the proposed ordinance:

As stated previously, the monthly rates will be increased each year anywhere from \$5.50 to around \$13.00 per month to help cover the cost of construction and operate and maintain the facility.

5. Estimate of the City's regulatory costs, including estimated revenues from any new charges or fees to cover such costs:

The City will incur new regulatory costs to meet state requirements to improve the wastewater treatment plant. These new costs include \$132.6 million to construct the plant and yearly operation and maintenance costs.

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

This ordinance is comprehensive and contains regulations that impact all businesses within the City of Winter Garden that have a water and sewer connection.

7. Additional information (if any, but may wish to include the methodology used to derive information for #1 and #2, above. For example: City staff solicited comments from businesses in the City as to the potential impact of the proposed ordinance by contacting the chamber of commerce, social media posting, direct mail or direct email, posting on City website, public workshop, etc. You may also wish to include efforts made to reduce the potential fiscal impact on businesses based on feedback from businesses. You may also wish to state here that the proposed ordinance is a generally applicable ordinance that applies to all persons similarly situated (individuals as well as businesses) and, therefore, the proposed ordinance does not impose costs only upon businesses.):

The City has been fiscally conservative and used new growth impact fees to fund the previous expansion including operation and maintenance fees. The recent slow down in growth and new state regulations have required this upgrade to the plant which requires new fees to meet the state mandate.