

# City of Gainesville, Florida 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 City's website by the time notice of the proposed ordinance is published.*

Proposed ordinance's title/reference: **Ordinance No. 2024-834**

**An ordinance of the City of Gainesville, Florida, amending Article V of Chapter 23 of the Code of Ordinances relating to obstructions and prohibited activities on public property and rights-of-way, including public camping or sleeping; amending Section 2-339 of the Code of Ordinances providing for enforcement; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing 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 City is of the view that a business impact estimate is not required by state law<sup>1</sup> for the proposed ordinance, but the City 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. 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

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<sup>1</sup> See Section 166.041(4)(c), Florida Statutes.

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:

Consistent with §125.0231, F.S., this ordinance makes it unlawful for any person or entity to engage in any public camping or sleeping, as defined in the ordinance, on any public property or right-of-way.

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

(a) There is no direct economic impact or direct compliance costs imposed by this ordinance on private for-profit businesses. The compliance cost will be borne by the City of Gainesville.

(b) There are no new charges or fees imposed on private for-profit businesses; and,

(c) The ordinance will be enforced utilizing the City's existing resources. These resources are already allocated to addressing right of way and public property issues.

3. No businesses would be directly or likely impacted by the proposed ordinance. However, some indeterminate businesses may be indirectly benefitted by the prohibition on public camping or sleeping on public property and rights-of-way.

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

Most of §125.0231, F.S., went into effect on October 1, 2024, but subsection (4) of the statute, which provides for civil actions against local governments for violations of the statute, goes into effect on January 1, 2025. This ordinance will provide a local enforcement mechanism relating to the statute, allowing the City to enforce against public camping or sleeping on any public property or right-of-way.