

Business Impact Estimate

Proposed ordinance's title/reference: AN ORDINANCE AMENDING THE CITY OF CAPE CORAL, FLORIDA, CODE OF ORDINANCES, CHAPTER 2, "ADMINISTRATION," ARTICLE V, "BOARDS AND COMMISSIONS," DIVISION 3, "CODE ENFORCEMENT," SECTION 2-85, "ENFORCEMENT PROCEDURE," PERTAINING TO THE SERVICE OF NOTICE; AND CHAPTER 9, "HEALTH AND SANITATION," ARTICLE II, "LITTER," DIVISION 1, "GENERALLY," SECTION 9-16, "PROHIBITED CONDITIONS ON PRIVATE REAL PROPERTY," PERTAINING TO PENALTIES AND ENFORCEMENT FOR VIOLATIONS OF SECTION 9-16; PROVIDING FOR PENALTIES; PROVIDING FOR ENFORCEMENT; PROVIDING FOR RIGHTS OF VIOLATORS, PAYMENT OF CIVIL FINE, RIGHT TO APPEAR, FAILURE TO PAY CIVIL FINE OR TO APPEAL, AND APPEALS FROM DECISIONS OF THE SPECIAL MAGISTRATE.;

Ordinance #32-25

This Business Impact Estimate is provided in accordance with section 166.041(4), Florida Statutes.

In accordance with the provisions of controlling law, the City of Cape Coral hereby publishes the following information:

1. Summary of the proposed ordinance: Consistency with fines for all watering violations.

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

The proposed change to amend the fines of Ordinance 21-7 to match the fines in Ordinance 19-94. The impact of the proposed change would only be applicable to a for-profit business if they are found using water in violation of the emergency declaration. The fines would be the same as a violation of the year-round irrigation schedule.

(a) An estimate of direct compliance costs that businesses may reasonably incur; The fines for the emergency declaration watering violation will match that of year-round watering violation. All fines will be consistent.

(b) Any new charge or fee imposed by the proposed ordinance or for which businesses will be financially responsible: The fines for the emergency declaration watering violation will match that of year-round watering violation. All fines will be consistent.

(c) An estimate of the City of Cape Coral regulatory costs, including estimated revenues from any new charges or fees to cover such costs. No change anticipated.

3. Good faith estimate of the number of businesses likely to be impacted by the proposed ordinance: No anticipated change. See answer 4.

4. Additional information the governing body deems useful (if any): From May 2024 to May 2025, the Code Compliance Division has issued 12 violation notices for second offense watering violations to commercial properties. Each case carried a fine of \$200. With this amendment, if the violation was discovered, the fine would still be assessed at \$200.