



**BUSINESS IMPACT ESTIMATE
ORDINANCE NO. 5679**

TO: Mayor and City Council

FROM: Leif J. Ahnell, C.P.A., C.G.F.O.
City Manager

DATE: October 18, 2023

SUBJECT: Business Impact Estimate- Ordinance No. 5679
(New City Code Section 5.4, "Nuisance-Causing Wildlife Feeding Prohibited")

Section 166.041, Florida Statutes, effective July 1, 2023 ("Law"), requires the City prepare (or cause to be prepared) a business impact estimate prior to final consideration of an ordinance, subject to exemptions noted in the Law. The new Law requires that the business impact estimate be posted on the City's website at the time of the published notice of the City Council's final consideration of the ordinance, or ten (10) days prior to the adoption public hearing, whichever is longer. Ordinance No. 5679 is proposed to be adopted by the City on November 14, 2023, and is subject to this new requirement. Following are the categories required to be addressed for the proposed ordinance based on the new legislation:

1. Summary of proposed Ordinance No. 5679.

The proposed ordinance amends Chapter 5 "Animals" of the Code of Ordinances ("City Code") as follows:

- Amends Article I, "In General" by creating Section 5-4, "Nuisance-Causing Wildlife Feeding Prohibited";
- Prohibits the feeding of pigeons, ducks, and other wildlife in a manner that results in the accumulation of waste, vermin attraction, public disruption, property damage, unpleasant odors, or health and environmental risks; and
- Provides for enforcement through the issuance of direct citations.

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

a. Estimate of direct compliance costs that businesses may reasonably incur if the ordinance is enacted.

The ordinance is intended to address the prohibition of the feeding of pigeons, ducks, and other wildlife in such a manner which may result in an accumulation of droppings and or feathers, the attraction of vermin, blockage of streets or public rights-of-way, or damage to real property, all of which constitute a threat to the health, safety, and welfare of the residents of the City of Boca Raton. The ordinance will provide for enforcement of such prohibitions through the issuance of citations directly to alleged violators, which is not anticipated to have an impact on businesses. There is a fine added for the feeding of pigeons,

ducks, and other wildlife and the fine is set at \$100 per incident. There is no direct economic impact on any private, for-profit business because the economic impact (imposition of a fine for violating the ordinance) will incur to the individual violating the ordinance, not to any business.

b. Identification of any new charge or fee on businesses subject to the proposed ordinance or for which businesses will be financially responsible.

See above.

c. An estimate of the City's regulatory costs, including an estimate of revenues from any new charges or fees that will be imposed on businesses to cover such costs.

The proposed ordinance should not require any additional code enforcement resources or personnel, therefore there are no additional regulatory costs.

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

None.

4. Any additional information the City Council (governing board) determines may be useful.

The ordinance will offer the City a means of enforcement of nuisance-causing wildlife feeding.

Document Originated by: Brandon Schaad, AICP, Development Services Director