

# **BUSINESS IMPACT ESTIMATE<sup>1</sup>**

Meeting Date: November 5, 2024

Agenda Item No. 9A.

## **Summary of Proposed Ordinance and Statement of Public Purpose to be Served**

**Summary of Proposed Ordinance:** AN ORDINANCE OF THE VILLAGE COUNCIL OF MIAMI SHORES VILLAGE, FLORIDA, AMENDING CHAPTER 20, "STREETS, SIDEWALKS AND OTHER PUBLIC PLACES," ARTICLE II, "STREETS" TO UPDATE REGULATIONS GOVERNING SIDEWALKS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICT; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE

**Statement of Public Purpose to be Served:** According to Sec 20-23 of Miami Shores's municipal code, maintenance of sidewalks is the responsibility of the private owners against whose property the sidewalk abuts. In order for the Village to participate in the maintenance of efforts, an amendment to Sec 20-32 of the Village's code requirement is required. The amended code provides for the Village's participation under conditions where factors arise outside a property owner's control, such as damage caused by the Village or Village-owned property infrastructure or natural elements, including tree roots. Village administration would be required to repair, install, or replace the sidewalks that deteriorate under the above conditions.

**Use of facilities by residents:** Sidewalks in Miami Shores are conduits for pedestrian movement and access to public and private facilities. They enhance walkability and promote a healthy lifestyle. Properly constructed and maintained sidewalks are a public necessity for pedestrians' safe use of the ROW and lead to the maximization of social capital. By regulating ownership and maintenance responsibility, the Village will be able to hold stakeholders responsible for the upkeep of the sidewalk.

## **Estimate of Direct Economic Impact on Private/For Profit Businesses**

- a. Estimate of Direct Business Compliance Costs: \$0.00
- b. New Charges/Fees on Businesses Impacted: No new charges
- c. Estimate of Regulatory Costs: \$0.00

## **Good Faith Estimate of Number of Businesses Likely Impacted:**

### **Any Additional Information:**

Any person or entity that violates any of the provisions in this Article is subject to the following penalties: Upon a first violation, a mandatory fine of one hundred dollars (\$100). Upon a second violation, a mandatory fine of two hundred dollars 128 (\$200). Upon a third or subsequent violation, a mandatory fine of five hundred 130 dollars (\$500).

<sup>1</sup> Business Impact Estimate does not apply to the following:

1. Ordinances required for compliance with federal or state law or regulation;
2. Ordinances related to the issuance or refinancing of debt;
3. Ordinances relating to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget;
4. Ordinances required to implement a contract/agreement;
5. Emergency ordinances;
6. Ordinances relating to procurement;

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7. Ordinances enacted to implement the following:

- a. Part II of Chapter 163, F.S.;
- b. Sec. 190.005, F.S. and Sec. 190.046, F.S.;
- c. Sec. 553.73, F.S. (Fla. Building Code);
- d. Sec. 633.202, F.S. (Fla. Fire Prevention Code).