

## BUSINESS IMPACT ESTIMATE FORM

Posted To Webpage 4 April 2024

This Business Impact Estimate is given as it relates to the proposed ordinance titled:

**AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF OKALOOSA COUNTY, FLORIDA; AMENDING CHAPTER 16, ARTICLE II, SECTION 16-49 "CHAIR AND UMBRELLA BEACH VENDORS" OF THE OKALOOSA COUNTY CODE OF ORDINANCES BY AMENDING SUBSECTION (f) 4 BY SPECIFYING TWO FIXED WATER COORIDOR LOCATIONS AT PUBLIC ACCESSWAYS AND INCREASING THEM TO 50FT IN WIDTH; AMENDING SUBSECTION (g) TO CHANGE THE SERVICE VENDOR SETUP TIME FROM 7:30AM TO 7:00AM OR SOONER IF AUTHORIZED BY THE COUNTY; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING AN EFFECTIVE DATE.**

### Part I.

Summary of the proposed ordinance and statement of public purpose<sup>1</sup>:

The first amendment carves out two additional 25ft wide non-vending spaces on the public beach park that is 2.7 miles long or 14,256 liner feet equating to 3/10 of 1% of the available area. The ordinance carves out guaranteed public space/usage on a public beach park at two public access locations for those public users not directly fronting on the beach. A second amendment allows beach vendors to set up earlier.

From a public purpose perspective, these amendments ensure the public's ability to utilize the public beach without having to contract with a chair/umbrella vendor. It seeks to further balance the rights of all concerned in utilization of the public beach park in the most heavily used park areas of the County. These changes serve the overall health, safety, and welfare of the County. On the second amendment the goal is to allow everyone, including vendors to set up earlier whenever possible which give more time for everyone to enjoy the beach and corresponds more logically with daylight hours.

### Part II.

Estimate of the direct economic impact of the proposed ordinance on private, for-profit businesses in the County: *(fill out subsections a-c as applicable, if not applicable write "N/A")*

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

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<sup>1</sup> Address the public purpose to be served by the proposed ordinance, such as serving the public health, safety, morals, and welfare of the County.

None directly. Indirectly it could affect the number of chair and umbrella setups in these specific locations. However, there are a lot of other areas within the County Public Beach Park that permitted vendors may setup. It should also be noted, setting up on the beach is a first come first location where the public already has the right to set up (non-vending gear) anywhere on the beach including these locations. Additionally, the County could choose not to have any vendors on the public beach or come up with a system that further balances the right of all County taxpayers equally.

The second amendment will help beach vendors by allowing them and the public to set up for more hours adding to value added to any customers and more harmony with all.

- b. Identification of any new charges or fees on businesses subject to the proposed ordinance, or for which businesses will be financially responsible; and

There are no new charges or fees on businesses.

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

There are no new regulatory costs per se as no new enforcement personnel will be hired to enforce these two new minor provisions. Normal enforcement costs would ensue if a violation is cited. There are no new revenues anticipated. If a fine is levied, such revenue will be utilized to offset enforcement costs. No citations were issued for these rules during the last two years+.

The second provision will create some additional work for non-regulatory staff and will not affect revenue or impose new costs on businesses. It will lighten the current regulation on these County permitted vendors on public property.

**Part III.** Good Faith Estimate of the number of businesses likely to be impacted by the ordinance:

Potentially three beach vendors, any upland units, and vacation rentals unit companies at this location that have chair and umbrellas setup farther back from the water due to other usage by County residents/taxpayers.

## **NOTICE OF INTENTION TO ADOPT ORDINANCE**

**NOTICE IS HEREBY GIVEN** that the Board of County Commissioners of Okaloosa County, Florida, on April 16, 2024, at 8:30 a.m. CST, or soon thereafter, at the County Commissioners Chambers, in the Okaloosa County Administration Building located at 1250 N. Eglin Parkway, Shalimar, FL 32579, first floor, will consider adopting an ordinance, the title and substance of said proposed ordinance being:

**AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF OKALOOSA COUNTY, FLORIDA; AMENDING CHAPTER 16, ARTICLE II, SECTION 16-49 "CHAIR AND UMBRELLA BEACH VENDORS" OF THE OKALOOSA COUNTY CODE OF ORDINANCES BY AMENDING SUBSECTION (f) 4 BY SPECIFYING TWO FIXED WATER COORIDOR LOCATIONS AT PUBLIC ACCESSWAYS AND INCREASING THEM TO 50FT IN WIDTH; AMENDING SUBSECTION (g) TO CHANGE THE SERVICE VENDOR SETUP TIME FROM 7:30AM TO 7:00AM OR SOONER IF AUTHORIZED BY THE COUNTY; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING AN EFFECTIVE DATE.**

ALL INTERESTED PERSONS ARE INVITED TO ATTEND AND BE HEARD.

The proposed ordinance may be inspected by the public at the County Commissioners' Offices located at 302 N. Wilson St., Crestview, FL 32536, 850-689-5025 or 1250 N. Eglin Pkwy, Suite 100, Shalimar, FL, 850-651-7105.

If any person decides to appeal any decision made with respect to any matter considered at this hearing, such person will need a record of the proceeding and may need to ensure that a verbatim record of the proceeding is made which record includes the testimony and evidence upon which the appeal is to be based.

*Okaloosa County adheres to the American Disabilities Act and will make reasonable modifications for access to these hearings upon request. Requests may be made to the County Commissioner's office described above and must be made at least 48 hours in advance of the hearing in order to provide the requested service.*