



BUSINESS IMPACT ESTIMATE

Before the enactment of a proposed ordinance, the County shall prepare or cause to be prepared a business impact estimate in accordance with Section 125.66(3), Florida Statutes.

BOCC Meeting Dates: permission to advertise requested on March 22, 2024, for a public hearing to be held on April 23, 2024 at 9:00 AM, or as soon thereafter as the item may be heard.

Proposed Ordinance Title/Reference:

AN ORDINANCE AMENDING THE ST. LUCIE COUNTY CODE BY AMENDING CH. 18, EMERGENCY MANAGEMENT AND EMERGENCY SERVICES, ARTICLE III, LIFE SUPPORT SERVICES, SECTION 18-61, TRANSFER AND ASSIGNABILITY TO PROVIDE FOR THE TRANSFER AND ASSIGNABILITY OF CERTAIN CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY; PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY AND APPLICABILITY; PROVIDING FOR FILING WITH THE DEPARTMENT OF STATE; PROVIDING FOR AN EFFECTIVE DATE; PROVIDING FOR CODIFICATION; AND PROVIDING FOR ADOPTION.

The Proposed Ordinance does does not fall under one of the following enumerated exceptions:¹

- 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 county 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
 - d. Section 633.202, Florida Statutes, relating to the Florida Fire Prevention Code.

A business impact estimate is not required for the above exceptions.

Summary of Proposed Ordinance and Statement of Public Purpose to be Served:

This proposed ordinance is intended to provide for the transfer and assignability of certificates of public convenience and necessity (COPCN) where previously prohibited. Currently, when a business holding a COPCN changes ownership, the COPCN does not inure to the benefit of the new owner, rather the new owner must wait until the application period opens to submit a formal application for a certificate. This could result in a delay in service for the end users. The proposed ordinance allows for the transfer or assignment of a current, valid certificate when a business is sold and the issuance of a temporary certificate until the new application is completed and approved, avoiding delay of applications and ensuring sufficient services are available for the citizens.

¹ F.S. 125.66(3)(c)(2023)

Estimate of Direct Economic Impact on Private/For Profit Businesses:

a. Estimate of Direct Business Compliance Costs:

The ordinance imposes a non-refundable transfer fee of \$500 for each certificate to be transferred. This is the same fee that a business is responsible for when applying for a new COPCN, and not an additional fee.

b. New Charges/Fees on Businesses Impacted:

No existing businesses will be impacted. The fee will only be imposed on new businesses seeking to become certificate holders via assignment or transfer. This is the same fee a new business would be responsible for if it applied for a new certificate during the applicable period.

c. Estimate of Regulatory Costs:

No additional regulatory costs for the County, as temporary certificates allowed under this ordinance will be processed the same as original certificates granted during the application period.

Good Faith Estimate of Number of Businesses Likely Impacted:

Indeterminate.

A business will be impacted by this ordinance if only if it chooses to receive a COPCN via assignment or transfer rather than the normal application process.

Any Additional Information:

NONE.