



## **Business Impact Estimate**

*This form should be included in the agenda packet for the item under which the proposed ordinance is to be considered and must be posted on the City's website no later than the date notice of the proposed ordinance (2<sup>nd</sup> reading) is published.*

Proposed ordinance's title/reference: **Ordinance No. 01-2025**

**AN ORDINANCE PROVIDING FOR A PROGRAM OF REGULATION OF CITY RIGHTS OF WAY IN THE CITY OF SAN ANTONIO; PROVIDING FOR PROHIBITIONS AND LIMITATIONS; PROVIDING FOR FRANCHISES; PROVIDING FOR PERMITTING WORK IN THE RIGHTS OF WAY; PROVIDING FOR FEES; PROVIDING FOR ENSURING INDEMNITY OF THE CITY AND INSURANCE REQUIREMENTS; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

The City is of the view that the following exception(s) to the Business Impact Estimate requirement apply that are checked off in a box below apply to the above-referenced proposed ordinance, although the City is implementing the procedure required by statutory law to ensure that no inadvertent procedural issue could impact the enactment of the proposed ordinance.

- 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
- 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*.

In accordance with the provisions of controlling law, even notwithstanding the fact that, an exemption noted above may apply, the City hereby publishes the following information:

1. Summary of the proposed ordinance (must include statement of the public purpose, such as serving the public health, safety, morals, and welfare):

Ordinance proposes regulations for work performed in City owned rights-of-way. Proposed regulations include requirement of permits for certain construction activities, such as utilities and driveways. The ordinance details additional requirements regarding use of roadways and pedestrian areas such as sidewalks, including proper utilization of barricade and MOT. The ordinance has been proposed to limit risks of damage to existing infrastructure due to unpermitted construction activities or improper usage of City property.

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

Private businesses will not have a direct economic impact as a result of this ordinance, as it does not require business to adhere to any new compliance standards to continue operations.

3. Estimate of direct compliance costs that businesses may reasonably incur:

No compliance costs will be incurred by any private businesses upon adoption of the ordinance.

4. Any new charge or fee imposed by the proposed ordinance, or any cost for which businesses will be financially responsible:

No charges or fees are to be imposed by the proposed ordinance on businesses.

5. Estimate of the City's regulatory costs incurred, including estimated revenues from any new charges or fees to cover such costs:

No regulatory costs will be incurred by the City upon adoption of the ordinance.

6. Good faith estimate of the number of businesses likely to be impacted by the proposed ordinance:

0.

7. Additional information (if any, but may wish to include the methodology used to derive information for #1 and #2, above.)

The proposed ordinance is applicable only to future construction projects that will involve City rights-of-way. The ordinance contains provisions related to the rights of franchise holders and public utilities. The ordinance allows for the establishment of fees associated with permit application reviews at a future date, but does not immediately adopt a fee schedule upon passage.