



Business Impact Estimate

In accordance with Section 125.66(3)(a), Florida Statutes (F.S.), a Business Impact Estimate (BIE) is required to be: 1) prepared before enacting certain ordinances and 2) posted on Leon County's website no later than the date the notice of intent to consider the proposed ordinance is advertised (which, per Section 125.66(2)(a), F.S., is at least ten (10) days before the Public Hearing).

Proposed Ordinance's title in full: AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF LEON COUNTY, FLORIDA, AMENDING CHAPTER 12 OF THE CODE OF LAWS OF LEON COUNTY, FLORIDA BY ADOPTING ARTICLE IV TO BE ENTITLED PROHIBITION OF UNAUTHORIZED SOLICITATION ON PRIVATE PROPERTY; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR APPLICABILITY; AND PROVIDING AN EFFECTIVE DATE.

Pursuant to Section 125.66(3)(c), F.S., the following types of ordinances are exempt from the BIE requirement. As such, if one or more boxes are checked below, Leon County, Florida, believes that a BIE is not required by state law for the proposed ordinance referenced above. Leon County, Florida, reserves the right to revise this BIE following an initial posting.

- 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 a 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, F.S., 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, F.S., regarding community development districts;
 - c. Section 553.73, F.S., relating to the *Florida Building Code*; or
 - d. Section 633.202, F.S., relating to the *Florida Fire Prevention Code*.

In accordance with Florida law Leon County, Florida, hereby posts the following BIE information for this proposed ordinance on its website for public viewing and consideration on this 10th day of February 2024:

1. Summary of the proposed ordinance (must include statement of the public purpose, such as serving the public health, safety, morals, and welfare): The proposed ordinance will be enacted to protect, preserve, and promote the health, safety, welfare, and peace of the citizens of the county by prohibiting the intolerable threat to private property rights, including the right to exclude and to be free from trespass of unauthorized solicitation on private property. It is the intent of the proposed ordinance to protect such private property rights.

The proposed ordinance will make it unlawful for any person to solicit on any private property on which a “No Solicitation” sign is displayed, as described in the ordinance, without the express written permission of the property owner, managing and authorizing agent, lessee/tenant, or person otherwise in charge of the private property. If the required sign is displayed, and a person has solicited on that property without the express written permission, then it shall be presumed that such person is soliciting in violation of the ordinance.

The ordinance defines the term solicit as the act of requesting in person from another person something of value, whether tangible or intangible, by using words, body gestures, signs, or other means, and it may include, but not be limited to, requests for: petition signatures, support of any kind, money, donations of any kind, or some other action, article, or material of value.

The proposed ordinance will be enforced by law enforcement officers against any person found to be in violation within their jurisdiction. A violation of the ordinance would be prosecuted in the same manner as a misdemeanor and, upon conviction, the violator would face a fine not to exceed \$500.00 and/or imprisonment in the county detention center for a period not to exceed 60 days.

2. Estimate of direct economic impact of the proposed ordinance on private, for-profit businesses in the county, including the following (if any):

a.) Estimate of direct compliance costs that businesses may reasonably incur if the ordinance is enacted: For any business that chooses to invoke the protection of the proposed ordinance by posting a “No Solicitation” sign, the estimated cost of complying with the signage requirements in the ordinance is up to \$50 for purchase and installation of each sign.

b.) Any new charge or fee imposed by the proposed ordinance for which businesses will be financially responsible: N/A

c.) Estimate of Leon County’s regulatory costs, including estimated revenues from any new charges or fees to cover such costs: The estimated cost of Leon County’s enforcement of the proposed ordinance is unknown at this time because it will depend on the number of violations and the cost of prosecuting the violations by the State Attorney’s Office in the manner of a misdemeanor.

3. Good faith estimate of the number of businesses likely to be impacted by the proposed ordinance: It is unknown how many of the estimated 17,761 businesses in Leon County will likely be impacted by the proposed ordinance because neither a private property owner nor any business located thereon would be required to invoke the protection of the ordinance. The choice to be impacted by the proposed ordinance by displaying a “No Solicitation” sign, therefore, is totally at the discretion of the business.

4. Additional information Leon County deems necessary (if any): The proposed ordinance would apply countywide, as the City of Tallahassee (City) currently does not have a similar ordinance in place. However, should the City adopt a conflicting ordinance in the future, the City’s ordinance would prevail over this proposed ordinance, within the City limits, to the extent of any conflicts.