



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 Town of Melbourne Beach website by the time notice of the proposed ordinance is published.

ORDINANCE 2024-05

AN ORDINANCE OF THE TOWN OF MELBOURNE BEACH, FLORIDA, AMENDING CHAPTER 74, "VACATION RENTALS"; AMENDING REGISTRATION REQUIREMENTS; PROVIDING ADVERTISING REQUIREMENTS FOR VACATION RENTALS; AMENDING PARKING REQUIREMENTS TO LIMIT AMOUNT OF VEHICLES AT VACATION RENTALS AND ADVERTISING REQUIREMENTS; AMENDING MAXIMUM OCCUPANCY CAPACITY AND ADVERTISING REQUIREMENTS; PROVIDING FOR BACKGROUND CHECKS OF OCCUPANTS OVER EIGHTEEN YEARS OLD; PROVIDING FOR NOISE REGULATIONS AND PENALTIES; PROVIDING FOR REGISTRATION SUSPENSION; REMOVING THE EXEMPTION FOR OWNER-OCCUPIED VACATION RENTALS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

This Business Impact Estimate is provided in accordance with section 166.041(4), Florida Statutes. If one or more boxes are checked below, this means the Town of Melbourne Beach is of the view that a business impact estimate is not required by state law¹ for the proposed ordinance, but the Town of Melbourne Beach is, nevertheless, providing this Business Impact Estimate as a courtesy and to avoid any procedural issues that could impact the enactment of the proposed ordinance. This Business Impact Estimate may be revised following its 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;

¹ See Section 166.041(4)(c), Florida Statutes.

- 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 municipal 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.

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

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

The ordinance amends Chapter 74 vacation rentals specifically amending registration requirements, providing advertising requirements, amending parking requirements to limit amount of vehicles, amending maximum occupancy capacity, providing for background checks of occupants over eighteen years old, providing for noise regulations and penalties, providing for registration suspension, and removing the exemption of owner-occupied vacation rentals to address life, safety, and compatibility concerns in the interests of the health, peace, safety, and general welfare of the citizens and visitors of the Town of Melbourne Beach.

2. An estimate of the direct economic impact of the proposed ordinance on private, for-profit businesses in the Town of Melbourne Beach, if any:

- (a) An estimate of direct compliance costs that businesses may reasonably incur;
- (b) Any new charge or fee imposed by the proposed ordinance or for which businesses will be financially responsible; and
- (c) An estimate of the Town of Melbourne Beach's regulatory costs, including estimated revenues from any new charges or fees to cover such costs.

There are no direct compliance costs that businesses may incur, no new charges or fees imposed by the ordinance, and no regulatory costs to the Town.

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

It is estimated there will be a negligible impact on any businesses as a result of the proposed ordinance.

4. Additional information the governing body deems useful (if any):

This ordinance does not prohibit vacation rentals, or the duration or frequency of vacation rentals, nor is it the intention of the Town of Melbourne Beach to do so, but rather, this ordinance is intended to address life, safety, and compatibility concerns in the interests of the health, peace, safety, and general welfare of the citizens and visitors to the Town of Melbourne Beach.