



BUSINESS IMPACT ESTIMATE¹

Meeting Date: February 13, 2024

Proposed Ordinance Title/Reference

Ordinance Amending the Village Code to Create Section 2-33 "Reimbursement of Legal Expense in Defense of Officials"

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

Pursuant to Section 1-3 of the Village Code, the Village adopted the provisions of the Monroe County code as it existed on December 31, 1997 so long as they haven't been repealed, superseded, etc.

Section 2-26 of the Monroe County Code as it existed on December 31, 1997 provides for the reimbursement of the successful defense by a Councilmember in civil and criminal proceedings in certain instances. The proposed ordinance would expand that provision to include the successful defense of ethics and administrative proceedings in certain instances. In addition, the proposed ordinance sets forth the procedure by which a request for fees would be made and considered. Moreover, the proposed ordinance expands the provision to charter officers and department heads.

Estimate of Direct Economic Impact on Private/For Profit Businesses

a. Estimate of Direct Business Compliance Costs:

A change to the reimbursement of legal expenses for the successful defense of actions taken in a Village capacity is not intended to impact any business in the Village.

b. New Charges/Fees on Businesses Impacted:

A change to the reimbursement of legal expenses for the successful defense of actions taken in a Village capacity is not intended to impact any charges/fees on businesses in the Village.

c. Estimate of Regulatory Costs:

A change to the reimbursement of legal expenses for the successful defense of actions taken in a Village capacity is not intended to impact any regulatory costs.

Good Faith Estimate of Number of Businesses Likely Impacted:

None, as this code change will only apply to members of the Village Council and certain employees.

Any Additional Information:

The proposed ordinance is generally applicable and, therefore, the proposed ordinance does not affect only businesses.

¹ Business Impact Estimate does not apply to the following:

1. Ordinances required for compliance with federal or state law or regulation;
2. Ordinances related to the issuance or refinancing of debt;
3. Ordinances relating to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget;
4. Ordinances required to implement a contract/agreement;
5. Emergency ordinances;
6. Ordinances relating to procurement;
7. Ordinances enacted to implement the following:
 - a. Part II of Chapter 163, F.S.;
 - b. Sec. 190.005, F.S. and Sec. 190.046, F.S.;
 - c. Sec. 553.73, F.S. (Fla. Building Code);
 - d. Sec. 633.202, F.S. (Fla. Fire Prevention Code).