



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 2025-02

AN ORDINANCE OF THE TOWN OF MELBOURNE BEACH, FLORIDA, SUBMITTING TO THE ELECTORS OF MELBOURNE BEACH PROPOSED AMENDMENTS TO THE CHARTER OF THE TOWN OF MELBOURNE BEACH; PROVIDING BALLOT TITLES, SUMMARIES AND TEXT FOR THE PROPOSED AMENDMENTS; PROVIDING DIRECTIONS TO THE TOWN CLERK; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE FOR APPROVED AMENDMENTS; PROVIDING FOR AN EFFECTIVE DATE FOR THE ORDINANCE.

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;
- ☐ 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;

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

- ☐ 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 public purpose of Ordinance 2025-02 is to propose and approve amendments to the Town of Melbourne Beach Charter to be submitted to the electorate for consideration.

Section 2.02 – Composition and Qualifications – Increase the residency requirement to twelve (12) months and provide for forfeiture of office for malfeasance or misfeasance.

Section 2.03 Term of Office – Provides when elected Commissioners shall assume office, and changing the term limitations to eleven (11) months.

Section 2.04 Vacancies on the Commission – Provides the time period for a Commissioner to serve as a result of an appointment due to vacancy.

Section 2.08 – Vice-Mayor – Provides for Vice-Mayor’s duties if Mayor is unable or unwilling to perform duties

Section 2.09 – Commissioners-at-Large – Provides that candidates receiving the largest number of votes are elected to the longest terms.

Section 2.12 – Legislative Procedure – Clarify the requirement for Commission to vote to adjourn.

Section 3.01 – Powers and Duties of the Town Commission – Removing the Town Commission’s authority to appoint, suspend, or remove the Town Clerk.

Section 3.04 – Officer of the Town Clerk – Removing the Town Commission’s authority to fix the salary of the Town Clerk.

Section 3.05 – Office of the Town Attorney – Providing Town Attorney’s salary and/or contract is fixed and approved by the Commission.

Section 3.11 – Code of Ethics – Amending the Charter to define unacceptable gift and specifying applicable Florida Statutes.

Entire Charter – Replacing “he” and “his” and including “he or she” or “his and her”.

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 that 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):

Not applicable.