



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 County's website by the time notice of the proposed ordinance is published.

ORDINANCE 2024-25

AN ORDINANCE OF THE COUNTY COUNCIL OF VOLUSIA COUNTY, FLORIDA, AMENDING THE CODE OF ORDINANCES OF THE COUNTY OF VOLUSIA, BY AMENDING CHAPTER 118, ARTICLE IV, WRECKERS, BY AMENDING DIVISION 1, SECTION 118-95 – “EQUIPMENT REQUIREMENTS”; BY AMENDING SECTION 118-98 – “ESTABLISHMENT OF RATES, TRESPASS AND NON-CONSENSUAL TOWS AND IMMOBILIZATION”; BY AMENDING CHAPTER 118, ARTICLE IV, DIVISION 2, SECTION 118-103 – “TRESPASS TOW, NOTIFICATION;” BY AMENDING SECTION 118-105 – “PENALTIES;” PROVIDING FOR INCLUSION IN CODE; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTING ORDINANCES; AND PROVIDING FOR AN EFFECTIVE DATE.

This Business Impact Estimate is provided in accordance with section 125.66(3), Florida Statutes. If one or more boxes are checked below, this means the County is of the view that a business impact estimate is not required by state law¹ for the proposed ordinance, but the County 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 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, 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.

¹ See Section 125.66(3)(c), Florida Statutes.

In accordance with the provisions of controlling law, even notwithstanding the fact that an exemption noted above may apply, the County 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 proposed ordinance increases the maximum tow rate schedules that may be charged by businesses engaging in towing services across all classes, includes additional charges for use of specialized equipment, clarifies requirements, and updates agency contact information and guidelines for towing companies. Towing company representatives have indicated the need for an increase in the maximum tow rate schedule to address an increase in operational costs including costs for vehicle acquisition, maintenance, insurance, and fuel costs, as well as employee retention. Whereas towing companies have substantial interaction with the public and play an important role in clearing the County's roadways of wrecked vehicles and debris, the proposed ordinance will promote the general economic welfare and safety of the people of Volusia County.

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

(a) An estimate of direct compliance costs that businesses may reasonably incur;

Violation citations of \$450 per occurrence could impact the 12 towing companies currently involved in towing services in Volusia County. There is expected to be no direct cost to comply for businesses. Costs to comply by the general public for trespass and nonconsensual tows would increase as follows: Class A from \$125/\$150 to \$135/\$150; Class B from \$250/\$250 to \$300/\$350; Class C from \$375/\$375 to \$450/\$500; Class D from \$500/\$500 to \$600/\$650.

(b) Any new charge or fee imposed by the proposed ordinance or for which businesses will be financially responsible; and

There will be cap to the amount that may be charged for towing services imposed by the proposed ordinance.

(c) An estimate of the County's regulatory costs, including estimated revenues from any new charges or fees to cover such costs.

There are no new regulatory costs that will be incurred with the passage of this ordinance.

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

The estimated businesses that may be impacted by the proposed ordinance is 12 entities currently involved in the towing industry. All other businesses would be affected in the same manner as a member of the general public.

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

Cities may have their own towing fee schedule that could override the County rates for towing services in incorporated city limits.