

BUSINESS IMPACT ESTIMATE¹

Meeting Date: 11/06/23 and 12/04/23

Agenda Item No. 12

ORDINANCE 23-01

AN ORDINANCE OF THE CITY OF MARCO ISLAND, FLORIDA, AMENDING CHAPTER 46 "TELECOMMUNICATIONS," OF THE CITY OF MARCO ISLAND CODE OF ORDINANCES BY CREATING A NEW ARTICLE IV "TELECOMMUNICATIONS FACILITIES IN PUBLIC RIGHTS-OF-WAY," TO PROVIDE FOR REGULATIONS RELATED TO BONDING, INSURANCE, AND REQUIRED REPAIR AND RESTORATION FOR WORK CONDUCTED IN THE PUBLIC RIGHT-OF-WAY FOR THE PLACEMENT AND MAINTENANCE OF TELECOMMUNICATIONS EQUIPMENT WITHIN THE CITY'S RIGHTS-OF-WAY; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

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

Ordinance 23-01 serves to ensure that any costs incurred by the city to remediate damages resulting from construction activities by telecommunications providers or their contractors are recovered. The city has critical underground infrastructure such as traffic signal wiring, water or sewer mains, data transmission lines, etc. that are vulnerable to damage from horizontal drilling or excavations.

Estimate of Direct Economic Impact on Private/For Profit Businesses

a. Estimate of Direct Business Compliance Costs:

The telecommunications provider would incur a cost to provide a restoration bond which is estimated between \$500 and \$8,000 depending on the scope of the proposed telecommunications work.

b. New Charges/Fees on Businesses Impacted:

N/A

c. Estimate of Regulatory Costs:

The City may possibly incur some legal costs in the course of pursuing a claim on the bond.

Good Faith Estimate of Number of Businesses Likely Impacted:

One (1) telecommunications business per infrastructure project.

Any Additional Information:

The City incurs resource demands in the form of time and effort for reviewing right-of-way permit applications, construction plans; coordinating with city residents, contractors, and telecommunications providers; inspecting telecommunications work and responding to construction complications.

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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).