

Business Impact Estimate Eligibility Form

Section 166.041(4), Florida Statutes

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 City of Eustis' website by the time notice of the proposed ordinance is published.

This form simply assists in determining whether a Business Impact Estimate must be completed under Florida law for the proposed ordinance. Should a Business Impact Estimate be required or should the City opt to provide one as a courtesy based on the selection below then a separate form with the statutory components of Section 166.041(4)(a) shall also accompany the proposed ordinance.

Ordinance Number	2026-35
Ordinance Subject	Smoking and vaping in City-owned public parks
Legal Advertising Date	September 20, 2026
First Reading On	9/24/2026
Second Reading On	10/1/2026

Ordinance Title

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA, AMENDING CHAPTER 66, ARTICLE V, OF THE CITY OF EUSTIS CODE OF ORDINANCES RELATING TO MUNICIPAL PARK USE; CREATING SECTION 66-103 TO PROHIBIT SMOKING AND VAPING IN CITY-OWNED PUBLIC PARKS; PROVIDING FOR EXCEPTIONS, SIGNAGE, ADMINISTRATION, AND ENFORCEMENT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

Based on the City's review of the proposed ordinance (must select one of the following):

- ☐ The City has determined the statutory exemption identified below applies to the proposed ordinance; a Business Impact Estimate is NOT required and therefore not provided.
- ☐ The City has determined the statutory exemption identified below applies to the proposed ordinance; however, the City has prepared the Business Impact Estimate as a courtesy and to avoid any procedural issues that could impact the enactment of the proposed ordinance.
- ☒ The City has prepared a Business Impact Estimate in accordance with section 166.041(4), Florida Statutes.

Exemptions

The City has determined that a Business Impact Estimate is NOT required as the following exemption applies to the proposed ordinance:

Section 166.041 (4)(c) exemption: Choose an item.

BUSINESS IMPACT ESTIMATE

The City provides this Business Impact Estimate pursuant to Section 166.041(4), *Florida Statutes*, which may be revised following its initial posting.

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

Ordinance 2026-35 prohibits smoking and vaping in City-owned public parks, except for smoking unfiltered cigars. It authorizes the City Manager to establish designated areas and temporary exceptions and provides for signage, administration, and civil enforcement. Its public purpose is to reduce exposure to secondhand smoke and aerosol and protect public health and the use and enjoyment of City parks.

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

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

No mandatory business expenditures are identified in the ordinance. It regulates smoking and vaping by park users and does not require businesses to purchase equipment, post signs, obtain additional permits, maintain records, or enforce the prohibition against others. No direct business compliance expenditures are anticipated.

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

None. The ordinance imposes no new business charge or fee. A person who violates the prohibition may incur a \$50 civil penalty for an uncontested citation or a maximum civil penalty of \$100, together with court costs as permitted by law. These penalties arise only from violations.

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

The City's estimated additional regulatory costs consist of signage and installation and any additional administrative or enforcement expense, which are presently unknown. The ordinance imposes no new business charges or fees to recover these costs. Estimated revenue from such charges or fees is \$0. Civil-penalty receipts will depend on violations and cannot be reliably estimated.

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

The ordinance regulates conduct within City-owned public parks and imposes no business-specific permitting, signage, reporting, or fee requirements.

4. Additional information the City deems useful (if any).

The ordinance takes effect upon adoption. No civil citation under the new Section 66-103 may be issued during the first thirty days following adoption.

