Town of Miami Lakes
Business Impact Estimate

This form must be included in the agenda packet for the item under which the proposed ordinance is to be considered and be posted on the Town of Miami Lakes website by the time notice of the proposed ordinance is published.

Proposed ordinance's title/reference: **Solid Waste Collection Franchise Fee – Chapter 37, Article VI**

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 is of the view that a business impact estimate is not required by state law for the proposed ordinance, but the Town 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;
- ☐ 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 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 ordinance amends and restates Article VI of Chapter 37 to implement a nonexclusive solid waste franchise program and reinstate collection of the franchise fee at 20% of monthly gross receipts from covered commercial properties and multifamily rental complexes. It adopts application, renewal, vehicle, account, and container fees and updates application, reporting, financial security, insurance, service, and enforcement requirements.**

The public purpose is to protect public health, safety, and welfare through reliable and sanitary waste collection, accountable hauler operations, and oversight of the use of Town streets and rights-of-way. The franchise fee provides municipal revenue in recognition of that use and the effects of heavy collection vehicles on public infrastructure.

Residential units and residential condominium buildings are excluded from the franchise fee. Commercial units and commercial portions of mixed-use condominiums remain covered. Receipts from collection services for facilities owned, leased, or operated by the Town are excluded from the franchise-fee base.

2. An estimate of the direct economic impact of the proposed ordinance on private, for-profit businesses in the Town, if any:
(a) An estimate of direct compliance costs that businesses may reasonably incur;
Haulers may incur incremental costs for applications and renewals; billing and accounting changes; monthly reports and payments; customer and service-level reporting; five-year record retention; vehicle and container identification; insurance; financial security; and compliance with collection hours, frequency, and operating standards. Costs vary with existing practices, fleet size, service volume, and coverage. Some customers may incur higher service costs where collection frequency or schedules must change. Property owners may incur corrective costs to maintain and secure container enclosures and use authorized haulers.

The required payment bond is at least $10,000 in the initial year. Thereafter, a payment bond or acceptable alternative equals the preceding 12 months of franchise fees or $15,000, whichever is greater. The security amount is not the premium expense. Premiums, collateral, and additional insurance costs require hauler or insurer quotations; the draft leaves the pollution liability coverage limit unspecified.

(b) Any new charge or fee imposed by the proposed ordinance or for which businesses will be financially responsible; **Franchise fee: 20% of covered monthly gross receipts actually received. Application: $800. Annual franchise renewal: $800. Annual vehicle registration: $50 per vehicle. Annual permit per account: $75. Container/roll-off charge: $100 per container per 90-day period. Application and account fees are not prorated under the draft.**

The hauler may pass the franchise fee through to customers as a separately stated invoice line item. Gross receipts exclude the franchise fee itself, taxes as provided by law, separately stated Miami-Dade County fees, unrelated charges, and uncollected invoices. Later collections enter the base when received.

(c) **An estimate of the Town's regulatory costs, including estimated revenues from any new charges or fees to cover such costs.**
The current 15% fee is suspended. Therefore, the proposal adds a 20% charge relative to current collection practices. If fully passed through, $500 in covered monthly service receipts produces a $100 monthly franchise charge, or $1,200 over 12 months, holding service charges constant. This example excludes other program fees and negotiated price changes.

Late payments accrue 1.5% per month, subject to legal limits. Audit costs, collection expenses, and civil penalties may arise from noncompliance and are excluded from ordinary compliance estimates.

3. Good faith estimate of the number of businesses likely to be impacted by the proposed ordinance: **Affected businesses include haulers serving covered accounts and private, for-profit commercial customers and multifamily rental operators that may bear passed-through charges.**

4. Additional information the governing body deems useful (if any): **Actual effects depend on service needs, contractual pass-through provisions, hauler pricing, and implementation. Count only incremental compliance costs. Before publication, complete the estimates, confirm container-fee applicability and the final fee schedule, specify the pollution liability limit, and reconcile implementation dates. The draft states a December 1, 2026 application deadline and January 1, 2027 operative date; revise these if adoption occurs after either deadline.**