



Business Impact Estimate

This form should be included in the "set for public hearing" agenda item for ordinances, and must be posted on the County's website by the time notice of the proposed ordinance is published.

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, PERTAINING TO BROWARD COUNTY'S SEWER USE; AMENDING SECTION 34-138 OF THE BROWARD COUNTY CODE OF ORDINANCES ("CODE"); ADDING REGULATORY LANGUAGE TO FACILITATE COMPLIANCE WITH PROMULGATED CHANGES TO CHAPTER 62-625, FLORIDA ADMINISTRATIVE CODE, AND THE FEDERAL STREAMLINING RULES OUTLINED IN TITLE 40, CODE OF FEDERAL REGULATIONS; AND PROVIDING FOR SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE.

If any of the following exceptions to the Business Impact Estimate requirement apply, check the applicable box and leave the remainder of the form blank.

- ☐ The ordinance is required for compliance with federal or state law or regulation;
- ☐ The ordinance relates to the issuance or refinancing of debt;
- ☐ The ordinance relates to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget;
- ☐ The 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;
- ☐ The ordinance is an emergency ordinance;
- ☐ The ordinance relates to procurement; or
- ☐ The ordinance is enacted to implement the following:
 - a. Development orders and development permits, as defined in Section 163.3164, and development agreements authorized under the Florida Local Government Development Agreement Act;
 - b. Comprehensive plan amendments and land development regulation amendments initiated by application by a non-municipal private party;
 - c. Sections 190.005 and 190.046, regarding community development districts;
 - d. Section 553.73, relating to the Florida Building Code; or
 - e. Section 633.202, relating to the Florida Fire Prevention Code.

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

The Florida Department of Environmental Protection (“FDEP”) conducts periodic reviews of each county’s Sewer Use Ordinance (“SUO”) to ensure consistency with state and federal wastewater program requirements. Following its most recent review, FDEP notified Broward County (“County”) that minor revisions to the County’s SUO, codified in Section 34-138 of the Code, are necessary to maintain compliance with Chapter 62-625 of the Florida Administrative Code, and federal pretreatment regulations under Title 40 of the Code of Federal Regulations.

The recommended updates pertain specifically to the Purpose and Policy section of the SUO. FDEP requires that the SUO expressly state the County’s obligations to:

1. Prevent interference with the operation of the County’s wastewater treatment facility;
2. Prevent pass-through of pollutants that could harm water quality or violate permit standards;
3. Protect the general public and County wastewater personnel from exposure to harmful substances; and
4. Improve opportunities to recycle or reclaim wastewater, sludge, and associated byproducts.

In addition, FDEP recommends that the Ordinance include a provision addressing the equitable distribution of costs associated with the operation, maintenance, and improvement of the County’s wastewater treatment system.

On September 16, 2025, the Commission approved a motion directing the County Attorney to draft amendments to Chapter 34, Article VI, to incorporate these regulatory updates and ensure the County’s compliance with the Florida Administrative Code and Federal Streamlining Rules within the Code of Federal Regulations.

If enacted, the proposed Ordinance will incorporate FDEP’s recommended language into Section 34-138 of the Code.

2. Estimate of direct economic impact of the proposed ordinance on private, for-profit businesses in Broward County, including, if applicable:

- a. Estimate of direct compliance costs that businesses may reasonably incur;
- b. Any new charge or fee imposed by the proposed ordinance; and
- c. Estimate of the County’s regulatory costs, including estimated revenues from any new charges or fees to cover such costs.

It is estimated that there will be no direct economic impact on private, for-profit businesses in Broward County. There are no new charges, fees, or regulatory costs associated with the ordinance.

3. Estimate of the number of businesses likely to be impacted by the proposed ordinance:

It is estimated that there will be no businesses likely to be impacted by the proposed ordinance.

4. Additional information (if any):