



Business Impact Estimate

City of Sanibel

ORDINANCE 26-001 OF THE CITY COUNCIL OF THE CITY OF SANIBEL, FLORIDA, EXPANDING THE PROHIBITION OF SMOKING, TO INCLUDE VAPING, WITHIN ALL PUBLIC PARKS AND PUBLIC BEACHES OWNED BY THE CITY OR LEE COUNTY WITHIN THE CITY'S JURISDICTION, BY AMENDING SANIBEL CODE OF ORDINANCES CHAPTER 36, HEALTH AND SANITATION, ARTICLE III, SMOKING PROHIBITIONS, DIVISION 1, BY ADDING A NEW SECTION 36-67, DEFINITIONS AND AMENDING DIVISION 2, TOBACCO FREE PUBLIC SPACE, SECTION 36-78, THE CITY OF SANIBEL COMMUNITY PARK; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERANCE; AND PROVIDING AN EFFECTIVE DATE.

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 City of Sanibel is of the view that a business impact estimate is not required by state law¹ for the proposed Ordinance, but the City of Sanibel 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 City of Sanibel hereby publishes the following information:

¹ See Section 166.041(4)(c), Florida Statutes.



Business Impact Estimate

City of Sanibel

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

Ordinance 26-001 proposes prohibitions on vaping and smoking (with a state-mandated exception for filterless cigars) within City owned or controlled beaches and parks. The public purpose for Ordinance 26-001 is to protect public health and general public welfare, as well as to limit littering within the areas of prohibition.

2. Estimate of the direct economic impact of the proposed Ordinance on private, for-profit businesses in Sanibel, including the following, if any:

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

No compliance costs for businesses are expected.

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

N/A

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

The adoption of Ordinance 26-001 is not expected to materially increase any City fees or revenues. If passed, there would be *de minimus* costs to update signage related to the prohibition, as well as likely offsetting *de minimus* expected revenues from the payment of any citations for violations of the prohibition.

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

None.

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

This proposed ordinance is consistent with a similar ordinance adopted by Lee County in 2025 and is modeled after the regulations explicitly allowed by Section 386.209, Florida Statutes, as referenced in the proposed ordinance.