

BUSINESS IMPACT ESTIMATE¹

Meeting Dates: 4/20/2026, 5/4/2026

Agenda Item No. 14B.iii. and 14 Aiii
(each agenda)

ORDINANCE 26-04, THE CITY OF MARCO ISLAND, FLORIDA AMENDING THE CITY OF MARCO ISLAND CODE OF ORDINANCES BY AMENDING CHAPTER 54, "WATERWAYS AND BEACHES," ARTICLE V, "SEA TURTLE PROTECTION"; BY AMENDING SECTION 54-143 "DEFINITIONS" TO INCLUDE FISHING AS A SPECIAL EVENT; AMENDING SECTION 54-151 TO PROVIDE REGULATIONS REQUIRING A SPECIAL PERMIT FOR 10 OR MORE PEOPLE THAT GATHER ON THE BEACH AT NIGHT; PROHIBITING ANYONE FISHING ON THE BEACH AT NIGHT BETWEEN 9:00 PM AND 9:00 AM DURING SEA TURTLE SEASON TO PROTECT SEA TURTLES AND THEIR NESTING HABITATS; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

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

Greater protection of Sea Turtles during their defined season (May 1 – October 31).

The City will regulate activities on the beach that may harass, disorient, or cause injury to sea turtles during the nesting season that is from May 1, through October 31, of each year.

· Pursuant to section 54-151 (c)(3) "Man-made moveable objects shall not obstruct sea turtle nesting habitat during nesting season during nighttime."... "All obstructions shall be removed from the sea turtle nesting habitat... between 9:00 p.m. and 8:00 a.m."

· Pursuant to section 54-152, "It shall be unlawful for any person.... To kill, molest, cause a disorientation, or cause direct or indirect injury to any species of sea turtle...."

· Any violation of these regulations may be "irreparable or irreversible event" that allows for statutory authorized larger penalties.

Estimate of Direct Economic Impact on Private/For Profit Businesses

Associated costs are unknown at this time.

Good Faith Estimate of Number of Businesses Likely Impacted:

Less than 5 but actual is unknown

Any Additional Information:

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).