



**Marion County
Board of County Commissioners**

Office of the County Attorney

601 SE 25th Ave.
Ocala, FL 34471
Phone: 352-438-2330
Fax: 352-438-2331

Proof of Publication

No.: 2026-0096

STATE OF FLORIDA
COUNTY OF MARION
PREPARED BY HEATHER FLYNN:

Before the undersigned authority personally appeared Heather Flynn, who on oath says that they are the Legal Services Manager of Marion County, Florida; that the attached copy of advertisement Notice Of Public Hearing By Marion County Board of County Commission to Consider Adoption of an Ordinance for Tuesday, May 5, 2026 was published on the publicly accessible website, MarionFL.org/LegalNotices, of Marion County, Florida on April 24, 2026.

Affiant further says that the website complies with all legal requirements for publication in Chapter 50, Florida Statutes.

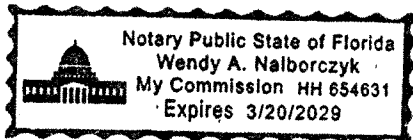
Signature: _____

Date: 04-24-26

☐ Business Impact Estimate published with the advertisement and attached.

THIS SECTION PREPARED BY NOTARY:

Sworn and Subscribed before me this 24th day of April, 2026, by Heather Flynn who is: personally known to me ☒ or who has produced _____ as identification.



Signature of Notary Public _____

Notary Public Stamp

ATTACH COPY FROM WEBSITE POSTING



Legal Notices

NOTICE OF PUBLIC HEARING BY MARION COUNTY BOARD OF COUNTY COMMISSION TO CONSIDER ADOPTION OF AN ORDINANCE

Post Date: 04/24/2026 8:00 AM

The Marion County Board of County Commissioners will hold a public hearing on **Tuesday, May 5, 2026, at 10:00 a.m.**, or as soon thereafter, as may be heard. The meeting will be held at the **McPherson Governmental Campus Auditorium, 601 SE 25th Avenue, Ocala, Florida**, to consider approval of and adoption of a proposed ordinance entitled:

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MARION COUNTY, FLORIDA; CREATING SECTION 18-8, MARION COUNTY CODE, ENTITLED NONCONSENSUAL TOWING AND TRESPASS TOWING FROM PRIVATE PROPERTY; ESTABLISHING MAXIMUM RATES FOR NONCONSENSUAL TOWING SERVICES AND STORAGE OF VEHICLES AND VESSELS; PROVIDING FOR A COMPLAINT RESOLUTION PROCESS; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

The proposed Ordinance may be inspected by the public at the Marion County Attorney's Office, 601 SE 25th Avenue, Ocala, Florida, 34471, Telephone (352) 438-2330.

If reasonable accommodations are needed for persons with disabilities to participate in this meeting, please contact the ADA Coordinator/HR Director at least forty-eight (48) hours in advance at (352) 438-2345, so appropriate arrangements can be made.

All persons are advised that, if they decide to appeal a decision of the Board of County Commissioners of Marion County, Florida at this public hearing they will need a record of the proceedings and, for such purpose, they may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Effective October 1, 2023, a Florida legislative act relating to local ordinances, amending F.S.125.66(3)(a), requires a Business Impact Statement to be prepared by the governing body of a county before the enactment of a proposed ordinance in accordance with the provisions of F.S., the Business Impact Estimate (BIE) must be published on the County's website and must include certain information, such as a summary of the proposed ordinance, including a

statement of the public purpose, an estimate of the direct economic impact, and a good faith estimate of the number of businesses likely to be impacted, and any additional information the governing body determines may be useful. In accordance to F.S. 125.66(3)(a), a number of ordinances are exempt from complying with the business impact statement. Marion County's business impact estimates are posted on the Marion County website under Public Relations at: www.MarionFL.org/BIE. You can find the Business Impact Estimate for this particular notice **here**.

2026-0096

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Business Impact Estimate

In accordance with Section 125.66(3)(a), F.S., a Business Impact Estimate (BIE) is required to be: 1) prepared before enacting certain ordinances and 2) posted on Marion County Board of County Commissioners' website no later than the date the notice proposed enactment/notice of intent to consider the proposed ordinance, is advertised in the newspaper (which, per Section 125.66(2)(a), F.S., is ten (10) days before the Public Hearing).

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MARION COUNTY, FLORIDA; CREATING SECTION 18-8, MARION COUNTY CODE, ENTITLED NONCONSENSUAL TOWING AND TRESPASS TOWING FROM PRIVATE PROPERTY; ESTABLISHING MAXIMUM RATES FOR NONCONSENSUAL TOWING SERVICES AND STORAGE OF VEHICLES AND VESSELS; PROVIDING FOR A COMPLAINT RESOLUTION PROCESS; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE

This Business Impact Estimate is provided in accordance with Section 125.66(3)(a), *Florida Statutes*. If one or more boxes are checked below, this means that the Marion County Board of County Commissioners is of the view that a business impact estimate is not required by state law for the proposed ordinance.

Notwithstanding, Marion County is preparing this BIE to prevent an inadvertent procedural issue from impacting the enactment of this proposed Ordinance. Marion County reserves the right to revise this BIE following its initial posting and to discontinue providing this information for proposed ordinances believed to be exempt under state law.

- ☐ 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*.

Consistent with the posting requirement set forth in Section 125.66(3)(a), F.S., the County hereby publishes the following BIE information for this proposed ordinance on its website for public viewing and consideration on this **24 day of April, 2026**: (Date being published)

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 proposed ordinance establishes a new section of the code for nonconsensual towing and trespass towing from private property. It sets the maximum tow rates that may be charged by businesses engaging in towing services across all classes, including maximum additional charges for use of specialized equipment. The ordinance also establishes a complaint resolution process. Whereas towing companies have substantial interaction with the public and play an important role in clearing the County's roadways of wrecked vehicles and debris, the proposed ordinance will promote the general economic welfare and safety of the people of Marion County.

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

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

There is no direct compliance cost for businesses. However, a reduction in the current maximum rates being utilized could have a negative financial impact on the towing companies. Reducing the maximum fees, however, would have a positive impact on the public, who pay such fees.

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

There is no new charge or fee specifically imposed for which the tow companies will be financially responsible. However, there will be a cap to the amount that may be charged for towing services imposed by the proposed ordinance, which could result in a negative financial impact on the towing companies. Additionally, should the tow companies be in violation of the ordinance, there may be fines and fees associated with those violations.

(c) An estimate of Marion County regulatory costs, including estimated revenues from any new charges or fees to cover such costs.

There are no new regulatory costs that will be incurred with the passage of this ordinance. However, there may be fees incurred due to violations of the ordinance, which could also generate revenue for the County. Those fees will be set by resolution later.

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

The estimated businesses that may be impacted by the proposed ordinance are approximately twenty-eight (28) companies currently involved in the towing industry. All other businesses would be affected in the same manner as a member of the public.

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

Cities may adopt their own fee schedule for towing services in incorporated city limits, which would override the County's rates.