MARTIN COUNTY, FLORIDA
Growth Management Department

Amendment to Division 1 & Division 5, Article 12, Community Redevelopment Code

Project Description:	Amend Section 12.1.01, Table 12-1.02 - Article 3 Standards Applicable to Article 12, Division 1, Uniform Redevelopment Standards, and Section 12.5.04, Development Standards, Division 5, Hobe Sound, Article 12, Community Redevelopment Code, Land Development Regulations, Martin County Code (LDR)
Project Number:	LDR 25-02
Staff:	John Sinnott, Principal Planner
Date of this Report:	February 11, 2026

A. Basis for changes

This is a request to amend Article 12, Community Redevelopment Code, by Floridays Mobile Park, LLC. The applicant intends to modify the recreational vehicle (RV) park standards specific to the Hobe Sound Community Redevelopment Area (CRA).

Article 12 establishes Redevelopment Zoning Districts, permitted uses, and development standards to implement the Comprehensive Growth Management Plan (CGMP) and the Community Redevelopment Plans in Martin County's six CRAs. The Community Redevelopment Code provides opportunities for traditional neighborhood design and mixed residential and commercial uses in redeveloping areas. The Community Redevelopment Code shall be applicable only for CRAs that have been formally designated by Martin County in accordance with the CGMP.

Table 12-1.02 in Section 12.1.01, Division 1, Article 12, identifies which standards of Article 3 are modified, replaced, or do not apply in the Redevelopment Zoning Districts. Table 12-1.02 stipulates that the standards of Section 3.91, Recreational vehicle park, Division 3, Article 3, apply as written in the Redevelopment Zoning Districts.

Section 3.91 was adopted via Ordinance No. 608 in 2002 and was subsequently modified by Ordinance No. 970 in 2015. Among other provisions, Section 3.91 establishes the minimum size for RV sites, maximum allowable density of RV sites, recreational amenities criteria, duration of rentals, and prohibitions on certain uses. A copy of Section 3.91 is included as

Attachment I of this report.

RV parks are a permitted use in two of the six CRAs: the Hobe Sound CRA and the Rio CRA. Within the Rio CRA, an RV park is a permitted use only in the Industrial Subdistrict. Within the Hobe Sound CRA, an RV park is a permitted use only in the Corridor Subdistrict.

Section 12.5.04, Division 5, Article 12, identifies development standards applicable to the Hobe Sound CRA. Section 12.5.04 was adopted via Ordinance No. 1134 in 2020 and was most recently modified by Ordinance No. 1238 in 2025.

B. Proposed changes

The applicant proposes to amend Section 12.1.01, Table 12-1.02, and Section 12.5.04 to modify RV park standards applicable in the Hobe Sound CRA. The applicant's proposed changes to the LDR are included as Attachment II of this report. The proposed changes are also summarized in the table below.

Table 1: Proposed Changes

Current Section 3.91 Standard (applies as written in the CRAs)	**Proposed RV Park Standard for the Hobe Sound CRA (Section 3.91 does not apply; however, the following requirements are applicable)**
3.91.A. Each recreational vehicle site shall be a minimum of 2,000 square feet.	Each recreational vehicle site shall be a minimum of 1,500 square feet.
3.91.B. At least one wastewater pump-out station shall be provided within the facility.	At least one wastewater pump-out station shall be provided within the facility, unless the recreational park has a potable water and sewer hook-up at each site and the park only rents to recreational vehicles that are self-contained units.
3.91.C. Such use shall provide recreational amenities such as, but not limited to, swimming pools, tennis, and all-purpose fields sized to serve the recreational vehicle population of the park.	Recreational amenities shall be provided such as, but not limited to, swimming pools, tennis, and all-purpose fields sized to serve the recreational vehicle population of the park.
3.91.D. The maximum density shall not exceed ten recreational vehicle sites per acre.	The maximum density shall not exceed fifteen recreational vehicle sites per acre.

Current Section 3.91 Standard (applies as written in the CRAs)	**Proposed RV Park Standard for the Hobe Sound CRA (Section 3.91 does not apply; however, the following requirements are applicable)**
3.91.E. Recreational vehicles shall be limited to a short-term rental basis for tenancies of less than six consecutive months or a total of six months in any calendar year.	Recreational vehicles shall be limited to a short-term rental basis for tenancies of less than six consecutive months or a total of six months in any calendar year except that pursuant to the terms of an employment agreement managers or caretakers are exempt from the short-term tenancy requirement.
3.91.F. A recreational vehicle park shall be considered commercial development and shall be developed with a unified site plan. Individual sites within a park shall not be subdivided, platted and sold or sold as units in a condominium or co-operative for residential occupancy.	A recreational vehicle park shall be considered commercial development and shall be developed with a unified site plan. Individual sites within a park shall not be subdivided, platted and sold or sold as units in a condominium or co-operative for residential occupancy
3.91.G. No recreational vehicle site within a recreational vehicle park shall receive a parcel control number or an address.	No recreational vehicle site within a recreational vehicle park shall receive a parcel control number or an address.
3.91.H. A manager or caretaker must be identified as the facility representative.	A manager or caretaker must be identified as the facility representative.
3.91.I. An accessory dwelling unit for a park manager or caretaker may receive a separate address from the park office. The accessory dwelling unit shall not be a recreational vehicle or a mobile home.	An accessory dwelling unit for a park manager or caretaker may receive a separate address from the park office, if the accessory dwelling unit is a permanent structure.
3.91.J. All recreational vehicles in recreational vehicle parks established after December 2014 must begin preparation to evacuate Martin County within 12 hours of a Hurricane Watch being issued. All vehicles and occupants must be evacuated at the time a Hurricane Warning is issued.	All recreational vehicles in recreational vehicle parks established after December 2014 must begin preparation to evacuate Martin County within 12 hours of a Hurricane Watch being issued. All vehicles and occupants must be evacuated at the time a Hurricane Warning is issued.

Current Section 3.91 Standard (applies as written in the CRAs)	Proposed RV Park Standard for the Hobe Sound CRA (Section 3.91 does not apply; however, the following requirements are applicable)
3.91.K. Recreational vehicle parks shall accommodate the emergency placement of recreational vehicles for a maximum period of one year from the date a disaster declaration is made on lands within Martin County. Compensation shall be provided by the agency placing recreational vehicles within the recreational vehicle park. The six-month maximum tenancies shall not apply to the installation of recreational vehicles by local, state or federal agencies for the temporary housing of displaced residents following a disaster declaration.	Recreational vehicle parks shall accommodate the emergency placement of recreational vehicles for a maximum period of one year from the date a disaster declaration is made on lands within Martin County. Compensation shall be provided by the agency placing recreational vehicles within the recreational vehicle park. The six-month maximum tenancies shall not apply to the installation of recreational vehicles by local, state or federal agencies for the temporary housing of displaced residents following a disaster declaration.
3.91.L. Park trailers shall not be a permitted use in recreational vehicle parks.	*
3.91.M. Mobile homes shall not be permitted uses in recreational vehicle parks.	Mobile homes shall not be permitted uses in recreational vehicle parks.

*Standard would no longer be applicable in the Hobe Sound CRA.

As noted in the table above, the applicant is proposing a reduction in the minimum required RV site size from 2,000 square feet to 1,500 square feet. The applicant is also proposing an increase in allowable density from ten RV sites per acre to fifteen RV sites per acre. Additionally, the applicant is proposing to update the rental duration criteria to allow an exception for units occupied by a manager or caretaker.

The proposed revision also changes the wastewater pump-out station requirement and the accessory dwelling unit criteria. The proposed revision removes the prohibition on park trailers.

C. Staff Analysis

The applicant indicates that the proposed changes to the minimum RV site size and allowable density are intended to bring the Martin County LDR standards closer to the RV park standards of Florida Administrative Code (F.A.C.) Section 64E-15.002. Section 64E-15.002, F.A.C., stipulates that each RV space shall contain a minimum of 1,200 square feet and that density shall not exceed 25 RV units per acre of gross site. A copy of Chapter 64E-15, F.A.C., is included as Attachment III to this report.

Recreational vehicle parks in the State of Florida are also subject to Chapter 513, Florida Statutes, a copy which is included as Attachment IV to this report. Section 513.051, Florida Statutes, addresses preemption and states that "the department is the exclusive regulatory and permitting authority for sanitary and permitting standards for all mobile home parks, lodging parks, recreational vehicle parks, and recreational camps in accordance with this chapter." Additionally, Section 513.1115, Florida Statutes, addresses placement of recreational vehicles on lots in permitted parks. Section 513.1115(4) states that "this section does not limit the regulation of the uniform fire safety standards established under s. 633.206. However, this section supersedes any county, municipality, or special district ordinance or regulation regarding the lot size, lot density, or separation or setback distance of a recreational vehicle park which goes into effect after the initial permitting and construction of the park."

Based on the provisions in the Florida Statutes and Florida Administrative Code discussed above, there is potential that Martin County LDR standards with respect to RV parks could be preempted if the proposed LDR text amendment is approved. Such preemption could result in RV parks being developed in accordance with the RV space size and density criteria of Section 64E-15.002, F.A.C., rather than the more restrictive Martin County LDR standards.

The applicant notes that the removal of the wastewater pump-out station provision is based on the modern RV park concept which typically includes a wastewater connection at each RV site rather than a centralized discharge station. Additionally, the applicant states that staff from South Martin Regional Utility (SMRU) have indicated a pump-out station would not be allowed to connect to the SMRU sewer system. Section 64E-15.004(5), F.A.C., states that "all recreational vehicle parks shall be provided with at least one easily accessible sanitary dump station for the use of occupants or patrons…" Section 64E-15.005(6), F.A.C., indicates that "if a park owner files a letter with the county health department stating the recreational vehicle park has a potable water and sewer hook-up at each site and the park only rents to recreational vehicles that are self contained units, the park will be exempt from…the sewage disposal requirements in subsections 64E-15.004(5), (6), (7), F.A.C…" The applicant's proposed LDR text change includes language similar to the above-referenced State code clarifying the circumstances under which a wastewater pump-out station is not required.

The proposed change to the accessory dwelling unit criteria and the inclusion of the rental duration exception for units occupied by a manager or caretaker would allow a manager or caretaker to occupy an RV site indefinitely. There is no proposed limit on the number of managers or caretakers which may occupy RV sites within an RV park.

The applicant wishes to remove the park trailer prohibition based on the fact that "park trailer" is included in the definition of recreational vehicle in Section 3.3, Division 1, Article 3. According to Section 3.3, the park trailer is a transportable unit which has a body width not exceeding 14 feet and which is built on a single chassis and is designed to provide seasonal or temporary living quarters when connected to utilities necessary for operation of installed

fixtures and appliances. The total area of the unit in a setup mode, not including any bay window, does not exceed 400 square feet when constructed to ANSI A-119.5 standards, and 500 square feet when constructed to United States Department of Housing and Urban Development Standards.

D. Staff Recommendation

The proposed change to the accessory dwelling unit criteria and the inclusion of the rental duration exception for RV units occupied by a manager or caretaker would allow a manager or caretaker to occupy an RV site indefinitely. This conflicts with the Section 3.3, Martin County LDR, definition of recreational vehicle park as "the commercial use of land to provide individual spaces for two or more recreational vehicles on a daily fee or short-term rental basis for tenancies of less than six consecutive months." Additionally, because there is no proposed limit on the number of managers or caretakers which may occupy RV sites, there is potential for multiple managers or caretakers to exceed the six-month rental duration.

Based on the provisions in the Florida Statutes and Florida Administrative Code discussed in Section C above, there is potential that Martin County LDR standards with respect to RV parks could be preempted if the proposed LDR text amendment is approved. Such preemption could result in RV parks being developed in accordance with the RV space size and density criteria of Section 64E-15.002, F.A.C., rather than the more restrictive Martin County LDR standards.

This application was presented to the Hobe Sound Neighborhood Advisory Committee (NAC) on January 14, 2026. The Hobe Sound NAC voted 4 - 3 recommending denial of the application.

Staff recommends denial of the proposed changes to Article 12.

E. Attachments

Attachment I – Section 3.91, Martin County LDR

Attachment II – Applicant's Proposed Changes to Article 12, Martin County LDR

Attachment III – Chapter 64E-15, F.A.C.

Attachment IV – Chapter 513, Florida Statutes

ATTACHMENT I

Sec. 3.91. - Recreational vehicle park.

3.91.A. Each recreational vehicle site shall be a minimum of 2,000 square feet.

3.91.B. At least one wastewater pump-out station shall be provided within the facility.

3.91.C. Such use shall provide recreational amenities such as, but not limited to, swimming pools, tennis, and all-purpose fields sized to serve the recreational vehicle population of the park.

3.91.D. The maximum density shall not exceed ten recreational vehicle sites per acre.

3.91.E. Recreational vehicles shall be limited to a short-term rental basis for tenancies of less than six consecutive months or a total of six months in any calendar year.

3.91.F. A recreational vehicle park shall be considered commercial development and shall be developed with a unified site plan. Individual sites within a park shall not be subdivided, platted and sold or sold as units in a condominium or co-operative for residential occupancy.

3.91.G. No recreational vehicle site within a recreational vehicle park shall receive a parcel control number or an address.

3.91.H. A manager or caretaker must be identified as the facility representative.

3.91.I. An accessory dwelling unit for a park manager or caretaker may receive a separate address from the park office. The accessory dwelling unit shall not be a recreational vehicle or a mobile home.

3.91.J. All recreational vehicles in recreational vehicle parks established after December 2014 must begin preparation to evacuate Martin County within 12 hours of a Hurricane Watch being issued. All vehicles and occupants must be evacuated at the time a Hurricane Warning is issued.

3.91.K. Recreational vehicle parks shall accommodate the emergency placement of recreational vehicles for a maximum period of one year from the date a disaster declaration is made on lands within Martin County. Compensation shall be provided by the agency placing recreational vehicles within the recreational vehicle park. The six-month maximum tenancies shall not apply to the installation of recreational vehicles by local, state or federal agencies for the temporary housing of displaced residents following a disaster declaration.

3.91.L. Park trailers shall not be a permitted use in recreational vehicle parks.

3.91.M. Mobile homes shall not be permitted uses in recreational vehicle parks.

(Ord. No. 608, pt. 1, 3-19-2002; Ord. No. 970, pt. 1, 4-7-2015)

ATTACHMENT II

BEFORE THE BOARD OF COUNTY COMMISSIONERS
MARTIN COUNTY, FLORIDA

ORDINANCE NUMBER

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MARTIN COUNTY, FLORIDA, AMENDING DIVISION 1. UNIFORM REDEVELOPMENT STANDARDS, SECTION 12.1.01, PURPOSE AND INTENT, TABLE 12-1.02, ARTICLE 3 STANDARDS APPLICABLE TO ARTICLE 12, REGARDING RECREATIONAL VEHICLE PARKS, ARTICLE 12, COMMUNITY REDEVELOPMENT CODE, LAND DEVELOPMENT REGULATIONS, MARTIN COUNTY CODE; AMENDING DIVISION 5. HOBE SOUND, SECTION 12.5.04, DEVELOPMENT STANDARDS, BY ADDING SECTION 12.5.04.6, RECREATIONAL VEHICLE PARKS, ARTICLE 12, COMMUNITY REDEVELOPMENT CODE, LAND DEVELOPMENT REGULATIONS, MARTIN COUNTY CODE; PROVIDING FOR CONFLICTING PROVISIONS, SEVERABILITY, APPLICABILITY, FILING WITH THE DEPARTMENT OF STATE, EFFECTIVE DATE, AND CODIFICATION.

WHEREAS, the Board of County Commissioners of Martin County, Florida (Board) is authorized by Chapter 125, Florida Statutes, to adopt ordinances and resolutions necessary for the exercise of its powers; and

WHEREAS, the Board has adopted the Martin County Comprehensive Growth Management Plan (CGMP) within which are included goals, objectives, and policies related to the process for review and approval of certain development applications; and

WHEREAS, Chapter 163, Part II, Florida Statutes, requires the implementation of these goals, objectives and policies through the adoption of consistent land development regulations; and

WHEREAS, the proposed revisions will facilitate redevelopment activity within the HS (Hobe Sound) Redevelopment Zoning District; and

WHEREAS, this proposed amendment to Article 12 of the Land Development Regulations, Martin County Code, has received public hearings before the Local Planning Agency and the Board; and

WHEREAS, the Board finds the proposed amendment consistent with the goals, objectives and policies of the Comprehensive Growth Management Plan.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MARTIN COUNTY, FLORIDA, THAT:

PART I. AMENDING DIVISION 1. UNIFORM REDEVELOPMENT STANDARDS, SECTION 12.1.01, TABLE 12-1.02, ARTICLE 3 STANDARDS APPLICABLE TO ARTICLE 12, ARTICLE 12, COMMUNITY REDEVELOPMENT CODE, LAND DEVELOPMENT REGULATIONS, MARTIN COUNTY CODE, REGARDING RECREATIONAL VEHICLE PARKS

Section Division 1. Section 12.1.01 is amended as follows:

Division 1. Uniform Development Standards

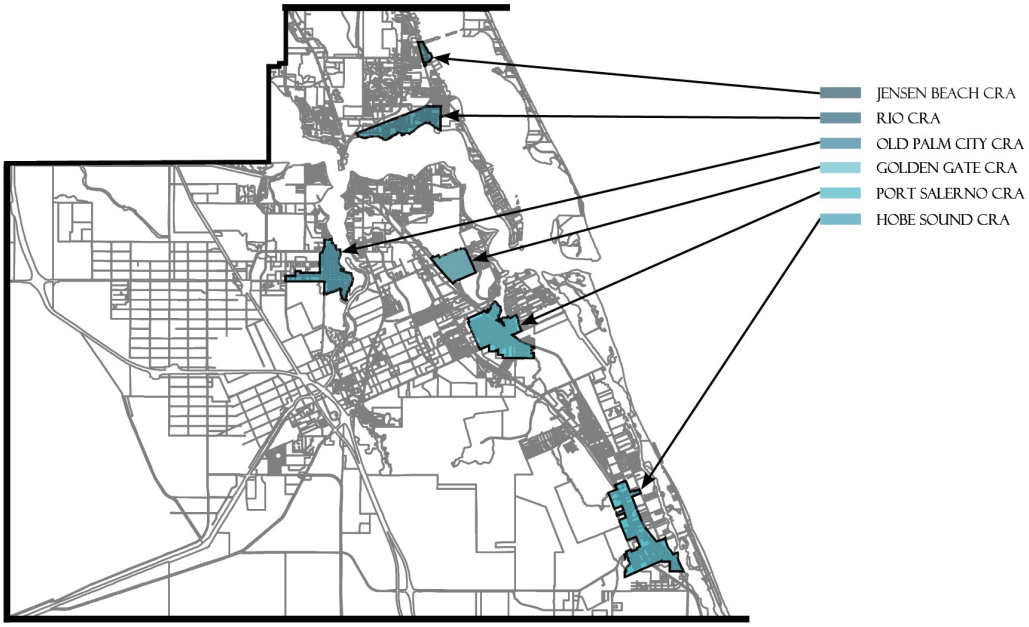
Sec. 12.1.01. Purpose and intent.

Article 12, the Redevelopment Code establishes Redevelopment Zoning Districts, permitted uses and development standards to implement the Comprehensive Growth Management Plan and the Community Redevelopment Plans in Martin County's six Community Redevelopment Areas (CRAs). The Community Redevelopment Code provides opportunities for traditional neighborhood design and mixed residential and commercial uses in redeveloping areas. The Community Redevelopment Code shall be applicable only for CRAs that have been formally designated by Martin County in accordance with the Comprehensive Growth Management Plan.

12.1.01.A. *Content of the Community Redevelopment Code.* Article 12 establishes Redevelopment Zoning Districts and a specific Division for each CRA. Article 12, Division 1 is applicable in all Redevelopment Zoning Districts.

1.	Uniform Redevelopment Standards	Division 1
2.	Jensen Beach CRA	Division 2
3.	Rio CRA	Division 3
4.	Old Palm City CRA	Division 4
5.	Hobe Sound CRA	Division 5
6.	Port Salerno CRA	Division 6
7.	Golden Gate CRA	Division 7

Figure 12-1.01 Martin County Community Redevelopment Areas



12.1.01.B. *Adoption and modification of the Community Redevelopment Code.* The adoption or modification of the Community Redevelopment Code and Redevelopment Zoning Districts and the assignment of land to a Community Redevelopment Zoning District or Subdistrict shall be by an ordinance amending the Land Development Regulations. When such ordinance assigns land to a Redevelopment Zoning District or Subdistrict, public notice shall be the same as for development applications and for amendments to the Martin County zoning atlas as set forth in Article 10.

12.1.01.C. *Comprehensive Plan.* All development in a CRA shall comply with the Martin County Comprehensive Growth Management Plan (CGMP). In the case of conflict between Chapter 18, Community Redevelopment, CGMP and the LDR or the General Ordinances, Chapter 18 shall control.

12.1.01.D. *Function of the Community Redevelopment Code; consistency with other regulations.*

1. Development under the Community Redevelopment Code shall comply with all requirements of the Martin County Land Development Regulations (LDR) and General Ordinances. In the case of conflict between Article 12, LDR and other provisions of the LDR or the General Ordinances, Article 12 shall control.

2. Table 12-1.02 identifies which standards of Article 3 are modified, replaced, or do not apply in the Redevelopment Zoning District.

Table 12-1.02 - Article 3 Standards Applicable to Article 12

Article 3		In Redevelopment Zoning Districts
Division 1, General Provisions. When applied in Redevelopment Zoning District all references in Division 1 to "this Article" shall be understood to incorporate Article 12.		
Sec. 3.1	Applicability	Applies except 3.1.C does not apply
Sec. 3.2	Zoning atlas and district boundaries	Applies except 3.2.B does not apply
Sec. 3.3	Glossary of terms	Applies except where modified by 12.1.14

Division 2, Standard Zoning Districts		
Sec. 3.10	District Purposes	Does not apply, replaced by 12.1.01.G
Sec. 3.11	Permitted Uses	Does not apply, replaced by 12.1.03
Sec. 3.12	Development Standards	Does not apply, replaced by 12.1.04
Sec. 3.13	Calculation of residential density	Does not apply, replaced by 12.1.04.3
Sec. 3.14	Height Standards	Applies as written, also see 12.1.04.2
Sec. 3.15	Lot width & area requirements	
	Sec. 3.15.A	Does not apply
	Sec. 3.15.B - Sec. 3.16.C	Applies as written, also see 12.1.02.1
Sec. 3.15.1	Open Space	Does not apply, replaced by 12.1.04.5
Sec. 3.16	Setbacks	
	Sec. 3.16.A.1, Sec. 3.16.A.2	Does not apply
	Sec. 3.16.A.3, Sec. 3.16.A.4, Sec 3.16.B	Applies as written, also see 12.1.04.6
	Sec. 3.16.C	Does not apply, replaced by 12.1.04
Sec. 3.31	LI-1 District	Does not apply, not present in CRA
Sec. 3.32	PAF public airport district	Does not apply, not present in CRA
Sec. 3.33	Noise compatibility overlay	Applies as written
Sec. 3.34	School construction zones	Applies as written
Division 3, Standards For Specific Uses		
Sec. 3.51	Accessory dwelling units	Does not apply, replaced by 12.1.04.7.a
Sec. 3.52	Administrative services, not-for-profit	Does not apply
Sec. 3.56.1	Ancillary retail	Does not apply
Sec. 3.57	Apartment hotel	Applies as written
Sec. 3.58	Bed and breakfast inn	Applies as written
Sec. 3.58.2	Business and professional offices	Does not apply
Sec. 3.59	Commercial amusements	Applies as written

Sec. 3.60	Commercial kennels	Applies as written
Sec. 3.61	Community center	Applies as written
Sec. 3.62	Construction industry trades	Applies as written
Sec. 3.63	Construction sales and services	Applies as written
Sec. 3.64	Craft distillery	Applies as written
Sec. 3.65	Cultural and civic uses	Applies as written
Sec. 3.66	Day care, commercial	Applies as written
Sec. 3.67	Day care, family	Applies as written
Sec. 3.68.1	Duplex dwellings	Applies as written
Sec. 3.68.2	Dwellings	Applies as written
Sec. 3.69	Educational institution	Applies as written
Sec. 3.70.1	Extensive impact industries	Applies as written
Sec. 3.71	Flea market	Applies as written
Sec. 3.71.1	Farmer's markets	Does not apply
Sec. 3.72	Funeral home	Applies as written
Sec. 3.73	Golf course	Applies as written
Sec. 3.74	Golf driving range	Applies as written
Sec. 3.76	Hotels, motels, and apartment hotels	Applies as written
Sec. 3.77	Library	Applies as written
Sec. 3.77.1	Limited retail sales and services	Applies as written
Sec. 3.78	Limited impact industries	Applies as written
Sec. 3.79	Marina, commercial	Applies as written
Sec. 3.81	Mobile home	Applies as written
Sec. 3.83	LSTAR and TIB	Applies as written

Sec. 3.83.1	Microbrewery	Applies as written
Sec. 3.83.2	Multifamily dwellings	Does not apply, replaced by Building Types
Sec. 3.84	Neighborhood assisted residence with six or fewer residents	Applies as written
Sec. 3.85	Neighborhood boat launch	Applies as written
Sec. 3.87	Places of worship	Applies as written
Sec. 3.88	Plant nurseries and landscape services	Applies as written
Sec. 3.89	Protective and emergency services	Applies as written
Sec. 3.90	Public parks and recreation areas, active and passive	Does not apply
Sec. 3.91	Recreational vehicle park	Applies as written <u>except as modified by 12.5.04.6</u>
Sec. 3.92	Recycling drop-off center	Applies as written
Sec. 3.93	Residential care facility	Applies as written
Sec. 3.94	Residential storage facility	Applies as written
Sec. 3.95	Restaurant, convenience	Applies as written
Sec. 3.98	Single-family detached dwellings in mobile home zoning districts	Does not apply, replaced by Building Types
Sec. 3.99	Shooting range, indoor	Applies as written
Sec. 3.102	Townhouses	Does not apply, replaced by Building Types
Sec. 3.103	Trades and skilled services	Applies as written
Sec. 3.103.1	Truck stop/travel center	Does not apply, not a permitted use
Sec. 3.104	Utilities	Applies as written
Sec. 3.105	Vehicle sales and service	Applies as written
Sec. 3.106	Vehicular service and maintenance	Applies as written
Sec. 3.107	Veterinary medical services	Applies as written
Sec. 3.108	Wholesale trades and services	Applies as written
Sec. 3.109	Wireless telecommunication facilities	Applies as written

Sec. 3.110	Zero lot line dwellings	Applies as written
Division 4, Miscellaneous Development Standards		
3.201	Accessory uses and structures	Does not apply, replaced by 12.1.04.8
3.202	Docks and pilings	Applies as written
3.202.1	Duplexes	Applies as written
3.203	Emergency shelters for residential development	Applies as written
3.204	Fences, walls and hedges	Applies as modified by 12.1.10
3.205	Gasoline storage	Applies as written
3.206	Household pets, horses and other animals	Applies as written
3.207	Industrial performance standards	Applies as written
3.208	Lighting	Applies as written
3.209	Model dwelling units	Applies as written
3.209.1	Rental housing	Applies as written
3.209.2	Seasonal sales, peddlers and itinerant merchants	Applies as written
3.210	Temporary construction office	Applies as written
3.211	Dog-friendly restaurants	Applies as written
Division 5, Planned Unit Developments		
	(All Subsections)	Applies as written
Division 6, Redevelopment Overlay Districts		
	(All Subsections)	Does not apply
Division 7, Category C Zoning Districts		
	(All Subsections)	Does not apply

(Note: Remainder of Section 12.1.01 remains as is.)

PART II. AMENDING DIVISION 5. HOBE SOUND, SECTION 12.5.04, DEVELOPMENT STANDARDS, ARTICLE 12, COMMUNITY REDEVELOPMENT CODE, LAND DEVELOPMENT REGULATIONS, MARTIN COUNTY CODE, BY ADDING SECTION 12.5.04.6, RECREATIONAL VEHICLE PARKS

Division 5. Section 12.5.04 is amended by adding Section 12.5.04.6. All other provisions of Section 12.5.04 remain as is.

DIVISION 5. - HOBE SOUND

Sec. 12.5.04. - Development standards.

6. Recreational vehicle parks. The following requirements are applicable to recreational vehicle parks within the Hobe Sound Redevelopment Zoning District:

a. Each recreational vehicle site shall be a minimum of 1,500 square feet.

b. At least one wastewater pump-out station shall be provided unless the recreational vehicle park has a potable water and sewer hook-up at each site and the park only rents to recreational vehicles that are self-contained units.

c. Recreational amenities shall be provided such as, but not limited to, swimming pools, tennis, and all-purpose fields sized to serve the recreational vehicle population of the park.

d. The maximum density shall not exceed fifteen recreational vehicle sites per acre.

e. Recreational vehicles shall be limited to a short-term rental basis for tenancies of less than six consecutive months or a total of six months in any calendar year except that pursuant to the terms of an employment agreement managers or caretakers are exempt from the short-term tenancy requirement.

f. A recreational vehicle park shall be considered commercial development and shall be developed with a unified site plan. Individual sites within a park shall not be subdivided, platted and sold or sold as units in a condominium or co-operative for residential occupancy.

g. No recreational vehicle site within a recreational vehicle park shall receive a parcel control number or an address.

h. A manager or caretaker must be identified as the facility representative.

i. An accessory dwelling unit for a park manager or caretaker may receive a separate address from the park office, if the accessory dwelling unit is a permanent structure.

j. All recreational vehicles in recreational vehicle parks established after December 2014 must begin preparation to evacuate Martin County within 12 hours of a Hurricane Watch being issued. All vehicles and occupants must be evacuated at the time a Hurricane Warning is issued.

k. Recreational vehicle parks shall accommodate the emergency placement of recreational vehicles for a maximum period of one year from the date a disaster declaration is made on lands within Martin County. Compensation shall be provided by the agency placing recreational vehicles within the recreational vehicle park. The six-month maximum tenancies shall not apply to the installation of recreational vehicles by local, state or federal agencies for the temporary housing of displaced residents following a disaster declaration.

l. Mobile homes shall not be permitted uses in recreational vehicle parks.

PART III. CONFLICTING PROVISIONS.

Special acts of the Florida Legislature applicable only to unincorporated areas of Martin County, Martin County ordinances, County resolutions, or parts thereof, in conflict with this ordinance are hereby superseded by this ordinance to the extent of such conflict except for ordinances concerning either adoption or amendment of the Comprehensive Plan.

PART IV. SEVERABILITY.

If any portion of this ordinance is for any reason held or declared to be unconstitutional, inoperative, or void by a court of competent jurisdiction, such holding shall not affect the remaining portions of this ordinance. If the ordinance or any provision thereof shall be held to be inapplicable to any person, property or circumstance by a court of competent jurisdiction, such holding shall not affect its applicability to any other person, property or circumstance.

PART V. APPLICABILITY OF ORDINANCE.

This ordinance shall be applicable throughout the unincorporated area of Martin County.

PART VI. FILING WITH DEPARTMENT OF STATE.

The Clerk shall be and is hereby directed forthwith to scan this ordinance in accordance with Rule 1B-26.003, Florida Administrative Code, and file same with the Florida Department of State via electronic transmission.

PART VII. EFFECTIVE DATE.

This ordinance shall take effect upon filing with the Office of Secretary of State.

PART VIII. CODIFICATION.

Provisions of this ordinance shall be incorporated into the Land Development Regulations, Martin County Code, except that Parts III through VIII shall not be codified. The word “ordinance” may be changed to “article,” “section,” or other word, and the sections of this ordinance may be renumbered or re-lettered.

DULY PASSED AND ADOPTED THIS _____ DAY OF _____, 2026.

ATTEST:

BOARD OF COUNTY COMMISSIONERS
MARTIN COUNTY, FLORIDA

_____

CAROLYN TIMMANN, CLERK OF THE
CIRCUIT COURT AND COMPTROLLER

_____

SARAH HEARD, CHAIR

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:

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ELYSSE A. ELDER,
COUNTY ATTORNEY

ATTACHMENT III

Chapter 64E-15, Florida Administrative Code
Mobile Home, Lodging, and Recreational Vehicle Parks and Recreational Camps

64E-15.001 Definitions.

For the purpose of this Chapter, the following words and phrases shall have the meanings indicated:

(1) "Easily Cleanable" – surfaces that are readily accessible and of such material, finish and so fabricated that residue may be effectively removed by normal cleaning methods.

(2) "Family Residential Unit" – means a habitable room of rooms set aside in either a single building or a multi-unit building for the exclusive use of a single family.

(3) "Group Camp Site" – means campsites open to the public which provide housing for transient occupancy. Occupants of such campsites are housed in tents or similar housing which provide protection from the elements to transient, overnight campers. The term also includes sites utilized by organizations such as Boy Scouts, Girl Scouts, church or other non profit groups whose memberships are open to the public.

(4) "Habitable Room" – means a room or enclosed floor space of a permanent living quarter used or intended to be used at a recreational camp for living, sleeping, cooking or eating purposes, excluding bathrooms, water closet compartments, laundries, pantries, foyers, connecting corridors, closets or other storage space.

(5) "Mobile Home Space" – means a designated parcel of land designed for the accommodation of a mobile home, its accessory buildings or structures, and accessory equipment for the exclusive use of the occupants.

(6) "Modification" – means an increase in the number of a park's spaces or a camp's capacity or a change in the configuration of the park or camp. Reduction of the total number of spaces by consolidation of existing adjacent spaces is not considered a modification.

(7) "Non Self-Contained Unit" – means a recreational vehicle which does not have a flush toilet, bathtub, or shower. The term non self-contained unit includes tents.

(8) "Potable Water Supply Station" – means a facility used to fill the water storage tanks of recreational vehicles with potable water from an approved water system pursuant to the provisions of Chapter 64E-8, 62-550 or 62-555, F.A.C.

(9) "Recreational Vehicle Space" – means a parcel of land in a recreational vehicle park designated for the placement of one recreational vehicle, one park model recreational vehicle or one tent for the exclusive use of its occupants. A site may also contain such temporary structures as screened enclosures and storage sheds, or it may contain a combination of one recreational vehicle and tents for the exclusive use of a single family.

(10) "Sanitary Dump Station" – means a properly designed facility used for receiving and disposing of liquid wastes from recreational vehicle holding tanks.

(11) "Self-Contained Unit" – means a recreational vehicle which has a flush toilet, bathtub or shower, handwashing compartment, and internal storage compartments of potable water supply and sewage holding.

(12) "Semi-Primitive Wilderness Camp" – means camp sites open to the public accessible only by walk-in, equestrian, or motorized trail vehicles that do not contain facilities for overnight stay as do group camp sites.

(13) "Shelter" – means any building of one or more rooms, mobile homes, and recreational vehicles used for sleeping or living quarters at a recreational camp.

(14) "Tent" – means a collapsible shelter made of canvas or other fabric supported by ropes or poles.

Specific Authority 381.0011(13), 513.05 FS. Law Implemented 513.01, 513.05 FS. History–New 5-20-96, Formerly 10D-26.100.

64E-15.002 Sites – Mobile Home, Lodging, and Recreational Vehicle Parks.

(1) General.

(a) Each site of a new or modified mobile home, lodging or recreational vehicle park shall be evaluated by the county public health unit to determine that it is not subject to environmental hazards. Park spaces shall be graded so

that water drainage will not cause standing water under the unit.

(b) The area of a new or modified mobile home, lodging, or recreational vehicle park shall be planned to accommodate the designated number of mobile home or recreational vehicle spaces, tents, buildings, necessary streets, roadways and parking areas for motor vehicles in accordance with the provisions of this rule. Every park shall provide space so that the parking, loading or maneuvering of manufactured and recreational housing shall not necessitate the use of sidewalks or rights-of-way or any private ground not part of the park.

(c) All spaces of existing parks shall be deemed to comply with the space requirements of this rule on its effective date, if the space does not adversely impact public health through overcrowding, overloading the sewage treatment and disposal system, overload of the solid waste storage system, overload of the water supply system, or the creation a sanitary nuisance.

(2) Mobile Home and Lodging Parks. The minimum area requirements of each mobile home space constructed or developed after the effective date of this rule shall be as follows:

(a) Each mobile home space designated for a single section mobile home shall contain a minimum of 2400 square feet with a minimum 35 foot width.

(b) Spaces to be utilized for a double-wide mobile home shall contain no less than 3500 square feet with a minimum 50 foot width.

(c) All mobile home and lodging park spaces and their appurtenances shall be located a minimum of 5 feet or more from the exterior boundaries, from the water of any canal, lake, or other body of water within the park.

(3) Recreational Vehicle Parks. The minimum size and location of each recreational vehicle space constructed or developed after the effective date of this rule shall be as follows:

(a) Each recreational vehicle space shall contain a minimum of 1200 square feet.

(b) The density shall not exceed 25 recreational vehicle units per acre of gross site.

(c) Each tent space shall contain a minimum of 500 square feet.

(d) Each recreational vehicle space shall be clearly identified.

Rulemaking Authority 381.0011(13), 513.05 FS. Law Implemented 513.03 FS. History–New 5-20-96, Formerly 10D-26.110, Amended 12-30-09.

64E-15.003 Water Supply.

(1) The water supply for each Mobile Home Park, Lodging Park, Recreational Vehicle Park, or Recreational Camp, shall comply with the provisions of Chapter 64E-8, F.A.C., Drinking Water Systems, or Chapter 62-550, F.A.C., Drinking Water Standards, Monitoring and Reporting, 40 CFR 141, Subpart I – Control of Lead and Copper, Edition of July, 2000, which is incorporated herein by reference and available free on the internet, 40 CFR 141 Subpart L – Disinfection and Residuals, Disinfection Byproductsm and Disinfection Byproduct Precursers, Edition of July 1, 2003, which is incorporated herein by reference and available free on the internet, 40 CFR 141 Subpart O – Consumer Confidence reports, Edition of July 1, 2004, which is incorporated herein by reference and available free on the internet, Chapter 62-555, F.A.C., Permitting, Construction, Operation, and Maintenance of Public Water Systems, and Chapter 62-560, F.A.C., Requirements for Public Water Systems That Are Out of Compliance. The system for each park shall be designed for the maximum water demand.

(2) In a mobile home or lodging park, at least one water supply service connection shall be provided to each mobile home space and shall be so designed and constructed as to prevent backflow or back-siphonage. The water connections shall be protected from damage by the parking of mobile homes. Multi-family mobile home units shall be provided an individual water supply connection to each family residential unit served.

(3) Every building in a recreational vehicle park which provides personal hygiene or cooking facilities shall be connected to an approved, potable water supply which meets the minimum requirements of subsection (1) above. Recreational vehicle parks shall also comply with the following additional requirements:

(a) In recreational vehicle parks, where each space is served by a water supply service connection, the connection shall be protected against the hazards of backflow and back-siphonage.

(b) All recreational vehicle parks shall provide at least one easily accessible, backflow and back-siphonage

protected potable water supply station with a water supply outlet for filling vehicle storage tanks. Recreational vehicle parks constructed after the effective date of this rule shall provide a potable water supply station for each 100 spaces, or fraction thereof, that do not have water hookups at the site. Recreational vehicle parks constructed after the effective date of this rule shall provide a potable water supply station for each 250 spaces, or fraction thereof, when more than 50 percent of the spaces have water and sewer hookups.

(c) Non-potable water accessibility shall not be co-located with potable water access points (hydrants, taps, or hose bibbs). Non-potable water access shall be designated and secured to prevent use as a potable water supply. Residents and guests shall be informed how to identify any non- potable water accessibility points within a park or camp.

Rulemaking Authority 381.011(13), 513.05 FS. Law Implemented 381.006(1), 386.041, 513.12, 513.05 FS. History–New 5-20-96, Formerly 10D-26.120, Amended 12-30-09.

64E-15.004 Sewage Disposal.

(1) A safe method of sewage collection, disposal, or treatment and disposal shall be provided at each park or camp and shall be in compliance with either Chapter 64E-6, Standards for Onsite Sewage Treatment and Disposal Systems, or Chapter 62-600, F.A.C., Domestic Wastewater Facilities. Transportable wastewater containers and cassette-type toilets may be used under the following conditions:

(a) The transportable wastewater container and cassette-type toilet must be specifically designed and sold for holding and transporting wastewater, and must have a tight-capping lid and watertight connections that under normal use will not leak or spill.

(b) Waste from hand washing sinks, kitchen sinks, and showers may be disposed of into transportable wastewater containers. Toilet waste may not be placed into a transportable wastewater container.

(c) Cassette-type portable toilets are acceptable for the holding and transportation of toilet waste, provided the storage container can be sealed in such a manner as to preclude leaking or spillage during transportation.

(d) Transportable wastewater containers and cassette-type toilets shall be transported to an approved disposal site in such a manner as to preclude leakage, spillage or the creation of a sanitary nuisance.

(e) Should waste spill onto the ground from a transportable wastewater container or cassette-type toilet, the person transporting the tank shall immediately notify the park's management.

(f) Park managers are responsible for enforcement of these provisions. Parks or camps agreeing to the use of transportable wastewater containers and/or cassette-type toilets shall post a sign or otherwise notify camp residents of a phone number where any transportable wastewater containers or cassette toilet spills can be reported to management. Park management shall have on file a protocol for disinfecting spills, and will take action to disinfect the spill area.

(2) Each mobile home site shall be provided with a sanitary sewer connection point. The waste line connector between the mobile home unit and the park's sewer system shall be self draining and leak proof from liquids and gases and be connected by means of a rigid, acid resistant connector.

(3) In recreational vehicle parks, where each space is provided a sanitary sewer disposal connection, the connection shall be self draining and leak proof from liquids and gases and be connected by means of a readily removable, acid resistant material.

(4) The connection point for all sewer outlets shall be tightly capped when not in use.

(5) All recreational vehicle parks shall be provided with at least one easily accessible sanitary dump station for the use of occupants or patrons. Recreational vehicle parks, constructed after the effective date of this rule shall provide a sanitary dump station for each 100 spaces, or fraction thereof, or for each 250 spaces, or fraction thereof, when more than fifty percent of the spaces have sewage disposal hookups.

(6) Sanitary dump stations shall consist of a trapped four inch sewer riser pipe that is connected to an approved sewage system. It shall be surrounded at the inlet end by a concrete apron sloped to the drain and provided with a suitably sized and hinged cover. A water supply outlet for wash down shall be provided with a water source which is protected from backflow and back-siphonage, and retractable, spring coiled water delivery device or other system

approved by the local plumbing jurisdiction.

(7) A sign shall be posted immediately adjacent to the wash down hose stating in letters of at least three inches height, WATER NOT SAFE FOR DRINKING.

Rulemaking Authority 381.011, 513.05 FS. Law Implemented 381.006(7), (14), 381.0065, 386.041, 513.08 FS. History–New 5-20-96, Formerly 10D-26.130, Amended 1-6-03, 12-30-09.

64E-15.005 Sanitary Facilities.

(1) Existing recreational vehicle parks shall be deemed in compliance with the sanitary facilities requirements of this Chapter if no reported and confirmed sanitary nuisances or communicable diseases have been reported due to insufficient numbers of sanitary facilities since January 1, 1993.

(2) All recreational vehicle parks constructed after the effective date of this rule shall provide a minimum of one toilet, one urinal, one handwashing fixture, and one shower for males and two toilets, one handwashing fixture, and one shower for females.

(3) Recreational vehicle parks constructed after the effective date of this rule which offer spaces to non self-contained units, shall provide the minimum required sanitary fixtures for each 25 non self-contained spaces or fractions thereof. For the purpose of this chapter, non self-contained units shall be considered to house two people equally divided as to gender. One of the required showers may be designated as gender neutral if interior locking devices and a private dressing room are available. Gender neutral facilities must be enclosed from floor to ceiling.

(4) Recreational vehicle parks, where water and sewage connections are available at each space and serve only self-contained units, are required to provide the minimum number of sanitary facilities for its patrons.

(5) Fixtures in sanitary facilities shall be maintained in working order and accessible. Toilet paper, soap, and single use hand towels or hand drying devices shall be provided at toilets and handwashing facilities.

(6) If a park owner files a letter with the county health department stating the recreational vehicle park has a potable water and sewer hook-up at each site and the park only rents to recreational vehicles that are self contained units, the park will be exempt from the sanitary facilities requirements in subsections 64E-15.005(2), (4), F.A.C., the sewage disposal requirements in subsections 64E-15.004(5), (6), (7), F.A.C., and the water requirements in paragraph 64E-15.003(3)(b), F.A.C.

Specific Authority 381.011, 513.05 FS. Law Implemented 381.006(6), (14), 386.041, 513.012 FS. History–New 5-20-96, Formerly 10D-26.140, Amended 6-7-07.

64E-15.006 Plumbing.

Plumbing shall be in compliance with the plumbing requirements of the 2007 edition of the Florida Building Code, herein incorporated by reference and available free on the internet at http://www2.iccsafe.org/states/florida_codes/.

Rulemaking Authority 381.011, 513.05 FS. Law Implemented 381.006(6), (14), 386.041, 513.05, 513.08, 553.73 FS. History–New 5-20-96, Formerly 10D-26.150, Amended 12-30-09.

64E-15.007 Garbage and Refuse Disposal.

(1) Garbage and refuse shall be stored, collected and disposed of in a manner that does not create nuisances, odors, rodent harborage, insect breeding, accident hazards, or air pollution.

(2) All garbage shall be stored in containers that are impervious to water and rodent vectors and have tight-fitting lids. Containers shall be provided in number to prevent garbage overflow. Portable bulk units for central storage shall be covered when not in use and cleaned on a scheduled basis.

(3) All garbage shall be collected twice weekly or in accordance with the frequency of the collection jurisdiction and transported in covered vehicles or covered containers. Burning of refuse in the park or camp is prohibited, except in incinerators for which the design and location has been approved by the Department of Environmental Protection. Refuse shall be transported and disposed of in accordance with provisions of Chapter 62-

701, F.A.C., Solid Waste Management Facilities.

Rulemaking Authority 381.011, 513.05 FS. Law Implemented 381.006(4), (14), 386.041, 513.012 FS. History–New 5-20-96, Formerly 10D-26.160, Amended 12-30-09.

64E-15.008 Insect and Rodent Control.

All park sites shall be well drained, free from standing water, and maintained to inhibit the breeding of mosquitoes. The premises shall be kept free of refuse, debris, garbage, waste paper and rubble which may provide harborage for rodents. Approved methods shall be used to reduce harmful rodents, insects, and arachnids such as rats, spiders, flies, ants, and ticks.

Specific Authority 381.011, 513.05 FS. Law Implemented 381.006(4), (14), 386.041, 513.05 FS. History–New 5-20-96, Formerly 10D-26.170.

64E-15.009 Recreational Camp Standards.

(1) Sites.

(a) Group camp sites shall be well drained and maintained to inhibit the breeding of mosquitoes. Cabins and sleeping quarters shall not be developed within 200 feet of marshes, bottom lands, natural sinkholes, swamps, stagnant water pools or other surface collectors of water.

(b) Eating and sleeping structures shall be located more than 200 feet from barns, pens or similar quarters of livestock or poultry.

(c) The total area required of a tent space shall be a minimum area of 500 square feet.

(d) Semi-primitive wilderness camps are not required to provide any of the facilities offered by this chapter. When offered, the facilities shall comply with the provisions of this chapter.

(2) Shelters.

(a) All rooms designed or used for sleeping purposes shall provide a minimum of 300 cubic feet of air space for each occupant. In computing the cubic footage of sleeping rooms, ceiling heights shall be counted to a maximum of 9 feet and no floor area shall be counted where the ceiling height is less than 6 feet.

(b) All shelters used as family residential units shall contain a minimum of 50 square feet of floor space for each occupant. Sleeping rooms in such family residential units shall also meet the air space requirements of this section.

(c) Separate sleeping quarters shall be provided for each gender except in the housing of families.

(d) All openable windows of the camp shall be screened with screening of not less than 16 mesh. Mechanical ventilation facilities shall be cleaned and maintained at least every six months.

(3) Heating-Recreational Camps.

(a) Heating appliances shall be provided in all non-transient shelters to maintain a minimum room temperature of 68 degrees Fahrenheit during the months of September through April.

(b) Heating appliances, other than electrical, shall be provided with a vent pipe or vent connected to the appliance and discharging to the outside air or chimney.

(4) Electric Wiring-Recreational Camps. Electric wiring shall be installed in accordance with the electrical requirements of the 2008 version of the National Electrical Code which is incorporated herein by reference and available from NFPA, One Batterymarch Park, Quincy, Massachusetts 02169-7471.

(5) Beds and Bedding-Recreational Camps.

(a) Sleeping facilities shall be provided for each camp occupant when alternative arrangements have not been made. Such facilities shall consist of beds, cots or bunks and shall include clean mattresses and mattress covers.

(b) Blankets and other bed coverings provided by the camp operator shall be laundered or otherwise sanitized between assignment to different camp occupants.

(c) Regular inspection of beds and bedding shall be made to ensure freedom from vermin. The extermination of vermin found in bedding shall be accomplished before anyone is allowed to use the bedding again.

(d) Every bed, cot or bunk shall have a clear space of at least 12 inches from the floor. There shall be a clear

ceiling height of not less than 36 inches above any mattress and there shall be clear space of not less than 27 inches between the top of the lower mattress and the bottom of the upper bunk of a double deck facility. Triple deck facilities shall be prohibited, and in sleeping rooms provided for other than family groups, double beds shall be prohibited.

(e) Beds, cots or bunks shall be spaced not less than 30 inches laterally or end to end. A minimum of 4 feet of clear aisle space shall be provided in all dormitories.

(6) Food Service Facilities-Recreational Camps.

(a) In camps where there is a central mess or multi-family feeding facility such as a dining room or mess hall, it shall be operated in compliance with Chapter 64E-11, F.A.C.

(b) Other food service operations shall be inspected and approved by the department.

(7) Sanitary Facilities and Sewage Disposal-Recreational Camps.

(a) For new construction after the effective date of this rule, the number of sanitary fixtures provided for each sex shall be based on the maximum number of persons of that sex which the camp is designed to house at any one time. All shower and wash basin fixtures shall be provided with water under pressure. Tents shall be considered to house 2 people equally divided as to gender. Sanitary facilities ratios shall be provided for the following number of persons or fraction thereof:

	Females	Males
Toilets	1:10	1:15
Wash Basins	1:10	1:15
Showers	1:15	1:15
Urinals		1:25

(b) In dormitory or barracks type sleeping facilities, separate personal hygiene facilities shall be provided for each gender. The rooms shall be distinctly marked for male or female use. If the facilities for both genders are in the same building, the rooms shall be separated by partitions extending from the floor to the roof or ceiling. Provisions shall be made for adequate dressing space adjacent to each bathing facility.

(c) Every water closet or flush toilet installed shall be located in a toilet room and shall be properly connected to a satisfactory sewage treatment and disposal system which complies with the requirements of the department or the Florida Department of Environmental Protection. Each water closet shall have a privacy partition.

(d) Laundry facilities or another laundering alternative approved by the department shall be provided to meet the needs and purposes of the camp. Laundry facilities shall not be used for kitchen waste disposal. Laundry waste shall be disposed of in accordance with Rule 64E-15.004, F.A.C., of this rule.

(e) Toilet, handwashing, and bathing facilities contained in family residential units shall not be considered when establishing the required number of fixtures of communal sanitary facilities. Each family residential unit of a camp, excluding tents and recreational vehicles, shall contain at least a flush toilet, bathtub or shower, and a wash basin.

(f) The floors of toilet, handwashing, bathing, and laundry facilities shall be of easily cleanable, non-skid finish, impervious to moisture and sloped to a drain. Trapped floor drains shall be provided in all shower baths and shower rooms to remove waste water and facilitate cleaning. The walls and partitions of shower rooms shall be easily cleanable and impervious to moisture. When hose bibs are used to clean communal sanitary facilities, the hose bib is required to have a backflow prevention device. The wall and floor space to a point of 1 foot in front of the urinal lip and rising 4 feet on the sides of the urinal shall be faced with a non-absorbent material.

(g) In permanent buildings, each toilet room shall be so located that no individual is required to pass through a sleeping area, other than his own, in order to use toilet facilities. Toilet fixtures shall have privacy partitions. Toilet rooms shall be ventilated to the outside. A toilet facility shall be located no farther than 200 feet from the door of each sleeping room.

(8) Water Supply-Recreational Camps.

(a) A supply of water under pressure that conforms with the requirements of subsection 64E-15.003(1), F.A.C., shall be available for drinking, culinary purposes, and sanitary facilities.

(b) Where water is not provided in the habitable room of a shelter, water outlets shall be located such that no shelter or habitable room is more than 100 feet from such an outlet. Drainage from the overflow or spillage from

such outlets shall be plumbed to an approved sewage system.

(c) Where drinking fountains are provided, the construction shall be the angle jet type.

Rulemaking Authority 381.0011, 513.05 FS. Law Implemented 381.006(6), (14), 381.0072, 513.05 FS. History–New 5-20-96, Formerly 10D-26.180, Amended 12-30-09.

64E-15.010 Permits and Fees.

(1) Permit Required.

(a) A mobile home park or lodging park which also has 5 or more sites set aside for recreational vehicles, shall comply with all permitting requirements of recreational vehicle parks included in this chapter. Parks allowing less than 5 non self-contained recreational vehicles shall be required to provide sanitary facilities in the ratios of subsection 64E-15.005(3), F.A.C., Sanitary Facilities.

(b) Where 5 or more migrant farmworkers are housed in units of a park, the units which house the migrant farmworkers shall be inspected in accordance with the standards of Chapter 64E-14, F.A.C., Migrant Labor Camps, under the statutory authority of 381.008-.00897, F.S. The department shall issue a revised operating permit that will serve as both the park permit and the residential migrant housing permit.

(c) Any person holding a permit shall notify the local county health department in writing at least 30 days prior to the modification of any park or camp.

(2) Permit Application.

(a) Applications for first time permits, migrant parks, change of ownership and modification of existing parks, shall be made on DH Form 4037, Application for Mobile Home Park, Mobile Home Park Housing, Migrant Farmworkers, Lodging Park, Recreational Vehicle Park and Recreational Camp, 09/98, which is incorporated herein by reference and furnished by the department through the county health departments. Applications for first time permits shall be filed with the department at least 30 days before a park or camp's operations are scheduled to begin. Applications for renewal of a park or camp permit are not required except for a migrant park.

(b) Parks and camps that do not have a valid set of plans on file at the county public health unit on the effective date of this rule, must submit them at the time of permit application. The plans must include a drawing of the park or camp that includes the area and dimensions of the tract of land; the space number or other designation of the space; the location and size of all mobile home spaces, recreational vehicle spaces, and tent spaces; and the location of all roadways. The drawing does not have to be drawn to scale or completed by an engineer if the space dimensions are shown. For permanent buildings located within the park or camp, a floor plan shall be submitted showing the number, types and distribution of all plumbing fixtures.

(c) Persons planning to construct new mobile home, lodging, and recreational vehicle parks and recreational camps, and persons who plan modification of a park or camp shall submit a set of plans drawn to scale and include the area and dimensions of the tract of land; the space number or other designation of the space; the location and size of all proposed mobile home, recreational vehicle, or tent spaces; the location of roadways; and the location of any added service buildings.

(d) Persons who plan to consolidate and decrease the number of existing spaces in a park or camp shall provide the county public health unit with a drawing or drawings showing the changes to be made to the existing plans on file at the county public health unit. The drawing or drawings do not have to be drawn to scale or completed by an engineer if the dimensions of the enlarged space or spaces are shown on the drawing. The proposed action shall be approved, if the county public health unit does not object to the proposed consolidation of spaces, either in writing or by telephone, within five working days of the dated receipt of the plans.

(e) Plans for drinking water supplies shall conform with and be submitted in a manner prescribed by Chapter 64E-8 or 62-550, Chapters 62-555 and 62-560, F.A.C.

(f) Plans for sewage collection and treatment systems shall conform with and be submitted in a manner prescribed by Chapter 64E-6 or 62-600, F.A.C.

(3) Fees.

(a) Existing parks and camps that are renewing their annual permits shall pay the annual fee. All other permit

applicants, such as those for a change of ownership, reinstatement after revocation of permit, modification of an existing park, those parks qualifying as migrant parks or new establishments permitted after the first quarter shall pay a prorated fee on the remaining quarters of operation. The applicant who operates a park as defined in Chapter 64E-15, F.A.C., that is also regulated as migrant farmworker housing shall only be required to pay a single park fee, unless there have been major deficiencies or uncorrected deficiencies cited by the department or administrative action taken within the past year regarding the requirements for residential migrant housing set forth in Chapter 381, F.S., in which case the applicant shall pay the fee required in Section 381.0084, F.S.

(b) In determining the fee of a recreational camp operating as a commercial establishment, each 2 campers shall be considered equivalent to the occupancy of a tent space or a non self-contained recreational vehicle space. A commercial recreational camp shall pay an annual fee based on $4.00 per equivalent space which shall not be less than $100 nor more than $600. Commercial recreational camp permits for changes of ownership, reinstatements after revocation of permit, or new establishments permitted after December 31, shall pay a prorated fee based on the remaining quarters of an annual operation.

(c) Permit fees shall not be refunded once the permit has been issued.

(d) A mobile home, recreational vehicle and/or lodging park shall pay an annual fee based on $4.00 per space which shall not be less than $100 nor more than $600.

(4) Enforcement. Supplemental to other enforcement remedies, citations for violation of applicable rules shall be issued on DH Form 3159, Citation for Violation, Mobile Home, Recreational Vehicle, and Lodging Park and Recreational Camps Program, which is incorporated herein by reference and furnished by the department through the county health departments.

(5) Inspections. DH Form 4039, 10/09. Mobile Home, Lodging, Recreational Vehicle Park, Recreational Camp and Migrant Park Inspection Report shall be used for inspections of all parks or camps and is herein incorporated by reference and may be obtained from the department at any of the 67 local county health departments in the state.

Rulemaking Authority 381.0011(13), 381.006, 381.0084, 513.05 FS. Law Implemented 381.006(14), 381.0061, 381.008-.00895, 386.03, 512.065 513.012, 513.02, 513.03, 513.045, 513.05 FS. History–New 5-20-96, Formerly 10D-26.190, Amended 6-23-98, 1-6-03, 3-4-08, 12-30-09.

64E-15.011 Owner's and Operator's Responsibility.

(1) The recreational vehicle park or camp operator shall inspect daily or provide an individual to inspect daily during periods of operation, the grounds and common use spaces of buildings, structures and tents, including toilets, showers, laundries, mess halls, dormitories, kitchens or any facilities relating to the operation of the park or camp and ensure that each is maintained in a clean and working condition and the buildings are maintained in good repair.

(2) The name(s), telephone number, address or instructions how to locate the camp operator at all times shall be kept posted in a prominent location in the camp.

(3) The recreational camp operator shall be informed of the requirements relative to the reporting and control of communicable diseases and shall notify the county public health unit immediately when outbreaks of communicable disease are suspected or determined.

(4) All recreational camp employees and occupants shall have access to medical care and treatment through the 911 emergency telephone number.

Specific Authority 381.0011(13), 513.05 FS. Law Implemented 381.006(14), 513.02, 513.05 FS. History–New 5-20-96, Formerly 10D-26.200.

ATTACHMENT IV

Select Year: 2024 Go

The 2024 Florida Statutes (including 2025 Special Session C)

Title XXXIII
REGULATION OF TRADE, COMMERCE, INVESTMENTS, AND SOLICITATIONS

Chapter 513
MOBILE HOME AND RECREATIONAL VEHICLE PARKS

View Entire Chapter

CHAPTER 513
MOBILE HOME AND RECREATIONAL VEHICLE PARKS

513.01 Definitions.
513.012 Public health laws; enforcement.
513.014 Applicability of recreational vehicle park provisions to mobile home parks.
513.02 Permit.
513.03 Application for and issuance of permit.
513.045 Permit fees.
513.05 Rules.
513.051 Preemption.
513.052 Inspection of premises.
513.053 Prosecution for violation; duty of state attorney.
513.054 Penalties for specified offenses by operator.
513.055 Revocation or suspension of permit; fines; procedure.
513.065 Enforcement; citations.
513.08 Disposal of sewage.
513.10 Operating without permit; enforcement of chapter; penalties.
513.1115 Placement of recreational vehicles on lots in permitted parks.
513.112 Maintenance of guest register and copy of laws.
513.114 Liability for property of guests.
513.115 Unclaimed property.
513.117 Park rules and regulations.
513.118 Conduct on premises; refusal of service.
513.121 Obtaining accommodations in a recreational vehicle park with intent to defraud; penalty; rules of evidence.
513.122 Theft of personal property; detention and arrest of violator; theft by employee.
513.13 Recreational vehicle parks; ejection; grounds; proceedings.
513.151 Recreational vehicle parks; guests in transient occupancy; operator's rights and remedies; writ of distress.

513.01 Definitions.—As used in this chapter, the term:

(1) "Department" means the Department of Health and includes its representative county health departments.

(2) "Lodging park" means a place set aside and offered by a person, for either direct or indirect remuneration of the operator of the place, in which 75 percent of the mobile homes or recreational vehicles or combination thereof are owned by the operator and offered for rent to the public and which is not licensed under chapter 509.

(3) "Mobile home" means a residential structure that is transportable in one or more sections, which structure is 8 body feet (2.4 meters) or more in width, over 35 feet in length with the hitch, built on an integral chassis, and

designed to be used as a dwelling when connected to the required utilities, and includes the plumbing, heating, air-conditioning, and electrical systems contained in the structure.

(4) "Mobile home park" means a place set aside and offered by a person, for either direct or indirect remuneration of the owner, lessor, or operator of such place, for the parking, accommodation, or rental of five or more mobile homes.

(5) "Occupancy" means the length of time that a recreational vehicle is occupied by a transient guest and not the length of time that such vehicle is located on the leased recreational vehicle site. A recreational vehicle may be stored and tied down on site when not in use to accommodate the needs of the guest. The attachment of a recreational vehicle to the ground with tie-downs or other removable fasteners, and the attachment of carports, porches, screen rooms, and similar appurtenances with removable attaching devices, do not render the recreational vehicle a permanent part of the recreational vehicle site.

(6) "Operator" means the owner, operator, keeper, lessor, proprietor, manager, assistant manager, desk clerk, agent, or employee of a mobile home, lodging, or recreational vehicle park or a recreational camp who is designated by the permittee as the individual solely responsible for the daily operation of the park or camp and its compliance with this chapter and the rules adopted under this chapter.

(7) "Permittee" means a person who applies for and is granted a permit under this chapter and who is ultimately responsible for the operation of the mobile home, lodging, or recreational vehicle park or the recreational camp and the compliance of the park or camp with this chapter and the rules adopted under this chapter.

(8) "Person" means an individual, association, partnership, corporation, or governmental unit.

(9) "Recreational camp" means one or more buildings or structures, tents, trailers, or vehicles, or any portion thereof, together with the land appertaining thereto, established, operated, or used as living quarters for five or more resident members of the public and designed and operated for recreational purposes.

(10) "Recreational vehicle" has the same meaning as provided for the term "recreational vehicle-type unit" in s. 320.01. However, the terms "temporary living quarters" and "seasonal or temporary living quarters" as used in s. 320.01, in reference to recreational vehicles placed in recreational vehicle parks, relate to the period of time the recreational vehicle is occupied as living quarters during each year and not to the period of time it is located in the recreational vehicle park. During the time the recreational vehicle is not occupied as temporary or seasonal quarters, it may be stored and tied down on the recreational vehicle site. The affixing of a recreational vehicle to the ground by way of tie-downs or other removable fasteners, and the attachment of carports, porches, screen rooms, and similar appurtenances by way of removable attaching devices, does not render the recreational vehicle a permanent part of the recreational vehicle site.

(11) "Recreational vehicle park" means a place set aside and offered by a person, for either direct or indirect remuneration of the owner, lessor, or operator of such place, for the parking, accommodation, or rental of five or more recreational vehicles or tents; and the term also includes buildings and sites set aside for group camping and similar recreational facilities. For the purposes of this chapter, the terms "campground," "camping resort," "RV resort," "travel resort," and "travel park," or any variations of these terms, are synonymous with the term "recreational vehicle park."

(12) "Transient guest" means any guest registered as provided in s. 513.112 for 6 months or less. When a guest is permitted with the knowledge of the park operator to continuously occupy a recreational vehicle in a recreational vehicle park for more than 6 months, there is a rebuttable presumption that the occupancy is nontransient, and the eviction procedures of part II of chapter 83 apply.

History.—s. 1, ch. 12419, 1927; CGL 4140; s. 1, ch. 19365, 1939; s. 3, ch. 76-168; s. 1, ch. 77-457; ss. 2, 3, ch. 81-318; ss. 3, 14, 15, ch. 83-321; s. 6, ch. 84-182; s. 13, ch. 85-343; s. 1, ch. 87-193; ss. 1, 26, ch. 93-150; s. 146, ch. 97-101; s. 249, ch. 99-8; s. 2, ch. 2013-91.

513.012 Public health laws; enforcement.—It is the intent of the Legislature that mobile home parks, lodging parks, recreational vehicle parks, and recreational camps be exclusively regulated under this chapter. As such, the department shall administer and enforce, with respect to such parks and camps, laws and rules relating to sanitation, control of communicable diseases, illnesses and hazards to health among humans and from animals to

humans, and permitting and operational matters in order to protect the general health and well-being of the residents of and visitors to the state. However, nothing in this chapter qualifies a mobile home park, a lodging park, a recreational vehicle park, or a recreational camp for a liquor license issued under s. 561.20(2)(a)1. Mobile home parks, lodging parks, recreational vehicle parks, and recreational camps regulated under this chapter are exempt from regulation under chapter 509.

History.—s. 5, ch. 84-182; s. 1, ch. 85-65; s. 36, ch. 92-78; s. 2, ch. 93-150; s. 1, ch. 2020-126.

513.014 Applicability of recreational vehicle park provisions to mobile home parks.—A mobile home park that has five or more sites set aside for recreational vehicles shall, for those sites set aside for recreational vehicles, comply with the recreational vehicle park requirements included in this chapter. This section does not require a mobile home park with spaces set aside for recreational vehicles to obtain two licenses. However, a mobile home park that rents spaces to recreational vehicles on the basis of long-term leases is required to comply with the laws and rules relating to mobile home parks including but not limited to chapter 723, if applicable.

History.—s. 6, ch. 84-182; s. 1, ch. 85-65; s. 36, ch. 92-78; s. 3, ch. 93-150.

513.02 Permit.—

(1) A person may not establish or maintain a mobile home park, lodging park, recreational vehicle park, or recreational camp in this state without first obtaining a permit from the department. Such permit is not transferable from one place or person to another. Each permit must be renewed annually.

(2) The department may refuse a permit to, or refuse to renew the permit of, any park or camp that is not constructed or maintained in accordance with law and with the rules of the department.

(3) The department may suspend or revoke a permit issued to any person that operates or maintains such a park or camp if such person fails to comply with this chapter or the rules adopted by the department under this chapter.

(4) A permit for the operation of a park or camp may not be renewed or transferred if the permittee has an outstanding fine assessed pursuant to this chapter which is in final-order status and judicial reviews are exhausted, unless the transferee agrees to assume the outstanding fine.

(5) When a park or camp regulated under this chapter is sold or its ownership transferred, the transferee must apply for a permit to the department within 60 days after the date of transfer. The applicant must provide the department with a copy of the recorded deed or lease agreement before the department may issue a permit to the applicant.

History.—s. 2, ch. 12419, 1927; CGL 4141; s. 1, ch. 19365, 1939; ss. 19, 35, ch. 69-106; s. 3, ch. 76-168; s. 439, ch. 77-147; s. 1, ch. 77-457; ss. 2, 3, ch. 81-318; ss. 4, 14, 15, ch. 83-321; s. 7, ch. 84-182; ss. 4, 26, ch. 93-150; s. 2, ch. 2020-126.

513.03 Application for and issuance of permit.—

(1) An application for a permit must be made in writing to the department, on a form prescribed by the department. The application must state the location of the existing or proposed park or camp, the type of park or camp, the number of mobile homes or recreational vehicles to be accommodated or the number of recreational campsites, the type of water supply, the method of sewage disposal, and any other information the department requires.

(2) If the department is satisfied, after reviewing the application of the proposed or existing park or camp and causing an inspection to be made, that the park or camp complies with this chapter and is so located, constructed, and equipped as not to be a source of danger to the health of the general public, the department shall issue the necessary permit, in writing, on a form prescribed by the department.

History.—s. 3, ch. 12419, 1927; CGL 4142; s. 1, ch. 19365, 1939; ss. 19, 35, ch. 69-106; s. 440, ch. 77-147; s. 1, ch. 77-457; ss. 2, 3, ch. 81-318; ss. 5, 14, 15, ch. 83-321; s. 8, ch. 84-182; ss. 5, 26, ch. 93-150.

513.045 Permit fees.—

(1)(a) Each person seeking a permit to establish, operate, or maintain a mobile home park, lodging park, recreational vehicle park, or recreational camp must pay to the department a fee, the amount of which shall be set by rule of the department.

(b) Fees established pursuant to this subsection must be based on the actual costs incurred by the department in carrying out its responsibilities under this chapter. The fee for a permit may not be set at a rate that is more than $6.50 per space or less than $3.50 per space. Until rules setting these fees are adopted by the department, the permit fee per space is $3.50. The permit fee for a nonexempt recreational camp shall be based on an equivalency rate for which two camp occupants equal one space. The total fee assessed to an applicant may not be more than $600 or less than $50, except that a fee may be prorated on a quarterly basis.

(c) A recreational camp operated by a civic, fraternal, educational, or religious organization that does not rent to the public is exempt from the fee requirements of this subsection.

(2) Each local county health department shall collect the fees established pursuant to subsection (1) but may not collect any other fees for such permit.

[1](3) Fees collected under this section shall be deposited in the County Health Department Trust Fund, to be administered by the department, and shall be used solely for actual costs incurred in implementing and enforcing this act.

History.—ss. 6, 15, ch. 83-321; s. 92, ch. 85-81; s. 16, ch. 93-120; ss. 6, 26, ch. 93-150; ss. 147, 148, ch. 97-101; s. 43, ch. 98-151.

[1]**Note.**—As amended by s. 16, ch. 93-120, and s. 147, ch. 97-101. Subsection (3) was also amended by s. 6, ch. 93-150, and s. 148, ch. 97-101, and that version reads:

(3) All fees collected by the department in accordance with this section and the rules adopted under this section shall be deposited into the respective county health department trust fund administered by the department for the payment of costs incurred in administering this chapter.

513.05 Rules.—The department may adopt rules pertaining to the location, construction, modification, equipment, and operation of mobile home parks, lodging parks, recreational vehicle parks, and recreational camps, except as provided in s. 633.206, as necessary to administer this chapter. Such rules may include definitions of terms; requirements for plan reviews of proposed and existing parks and camps; plan reviews of parks that consolidate space or change space size; water supply; sewage collection and disposal; plumbing and backflow prevention; garbage and refuse storage, collection, and disposal; insect and rodent control; space requirements; heating facilities; food service; lighting; sanitary facilities; bedding; an occupancy equivalency to spaces for permits for recreational camps; sanitary facilities in recreational vehicle parks; and the owners' responsibilities at recreational vehicle parks and recreational camps.

History.—s. 5, ch. 12419, 1927; CGL 4144; s. 1, ch. 19365, 1939; ss. 19, 35, ch. 69-106; s. 3, ch. 76-168; s. 442, ch. 77-147; s. 1, ch. 77-457; ss. 2, 3, ch. 81-318; ss. 7, 14, 15, ch. 83-321; s. 20, ch. 87-287; ss. 7, 26, ch. 93-150; s. 44, ch. 98-151; s. 47, ch. 2000-242; s. 147, ch. 2013-183.

513.051 Preemption.—The department is the exclusive regulatory and permitting authority for sanitary and permitting standards for all mobile home parks, lodging parks, recreational vehicle parks, and recreational camps in accordance with this chapter.

History.—s. 8, ch. 93-150; s. 3, ch. 2020-126.

513.052 Inspection of premises.—The department or its agent shall inspect, at least annually, each park or camp that the department determines qualifies as a mobile home, lodging, or recreational vehicle park or a recreational camp; and, for that purpose, the department has the right of entry and access to such park or camp at any reasonable time.

History.—s. 11, ch. 84-182; s. 1, ch. 85-65; s. 36, ch. 92-78; s. 9, ch. 93-150.

513.053 Prosecution for violation; duty of state attorney.—The department or an agent of the department, upon ascertaining by inspection that a mobile home, lodging, or recreational vehicle park or a recreational camp is being operated contrary to the provisions of this chapter, shall make a complaint and cause the arrest of the violator; and the state attorney, upon request of the department or agent, shall prepare all necessary papers and conduct the prosecution. The department shall proceed in the courts by mandamus or injunction whenever such proceeding is necessary to the proper enforcement of the provisions of this chapter, of the rules adopted pursuant to this chapter, or of orders of the department.

History.—s. 13, ch. 84-182; s. 1, ch. 85-65; s. 36, ch. 92-78; s. 10, ch. 93-150.

513.054 Penalties for specified offenses by operator.—Any operator of a mobile home park, lodging park, or recreational vehicle park or a recreational camp who obstructs or hinders any agent of the department in the proper discharge of the agent's duties; who fails, neglects, or refuses to obtain a permit for the park or camp or pay the permit fee required by law; or who fails or refuses to perform any duty imposed upon the operator by law or rule is guilty of a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083. On each day that such park or camp is operated in violation of law or rule, there is a separate offense.

History.—s. 13, ch. 84-182; s. 1, ch. 85-65; s. 128, ch. 91-224; s. 36, ch. 92-78; s. 11, ch. 93-150.

513.055 Revocation or suspension of permit; fines; procedure.—

(1)(a) The department may suspend or revoke a permit issued to any person for a mobile home park, lodging park, recreational vehicle park, or recreational camp upon the failure of that person to comply with this chapter or the rules adopted under this chapter.

(b) A permit may not be suspended under this section for a period of more than 12 months. At the end of the period of suspension, the permittee may apply for reinstatement or renewal of the permit. A person whose permit is revoked may not apply for another permit for that location prior to the date on which the revoked permit would otherwise have expired.

(2)(a) In lieu of such suspension or revocation of a permit, the department may impose a fine against a permittee for the permittee's failure to comply with the provisions described in paragraph (1)(a) or may place such licensee on probation. No fine so imposed shall exceed $500 for each offense, and all amounts collected in fines shall be deposited with the Chief Financial Officer to the credit of the County Health Department Trust Fund.

(b) In determining the amount of fine to be imposed, if any, for a violation, the department shall consider the following factors:

1. The gravity of the violation and the extent to which the provisions of the applicable statutes or rules have been violated.

2. Any action taken by the operator to correct the violation.

3. Any previous violation.

History.—ss. 9, 15, ch. 83-321; s. 9, ch. 84-182; s. 17, ch. 93-120; ss. 12, 26, ch. 93-150; ss. 149, 150, ch. 97-101; s. 568, ch. 2003-261.

513.065 Enforcement; citations.—

(1) If the department reasonably believes that a permittee has committed a violation of this chapter which affects the public health, safety, or sanitation, then the department may serve a citation on the permittee for such violation. However, the department must have previously notified the permittee of the violation and the permittee must have failed to timely correct the violation. Citations issued under this section are proposed agency action.

(2) Citations shall be in writing and shall describe the particular violation, including a specific reference to the provision of this chapter or rule promulgated hereunder alleged to have been violated.

(3) The department may seek to impose a fine not to exceed $500 for each violation cited under this section. Each day a violation continues after an initial citation is issued is a separate violation for which a subsequent citation may be issued. However, if the initial citation is not upheld through an administrative hearing under chapter 120, any subsequent citation for the same violation is void.

(4) Citations shall contain a conspicuous written notice of the permittee's right to request a hearing under chapter 120 within 21 days after the date of receiving the citation and shall contain a description of the procedures to be followed to request such a hearing. Citations shall contain a conspicuous statement that if the permittee fails to timely request an administrative hearing, the permittee may be deemed to have waived the right to an administrative hearing. The statement shall also warn that if the permittee does not request a hearing, the citation becomes final agency action and if the permittee fails to pay the fine within 60 days after the date of receiving the citation, the permittee will be required to pay the maximum fine or penalty.

(5) The department may reduce or waive any civil penalty initially sought to be imposed through a citation. In determining whether to reduce or waive a fine under this section, the department shall use the criteria in s. 513.055(2)(b).

(6) This section is an alternative means of enforcing this chapter. Nothing contained in this section prohibits the department from enforcing this chapter or the rules adopted thereunder by any other means permitted under this chapter. However, the department may only use a single enforcement procedure for any one violation.

(7) Citations issued under this section shall be served on the permittee or individual at the park or camp designated by the permittee except that service may be made by a department designee if designated by rule to effect such service.

History.—s. 13, ch. 93-150; s. 25, ch. 97-98.

513.08 Disposal of sewage.—

(1) It is unlawful to empty any receptacle or fixture containing human excreta, human urine, or any other liquid waste from a mobile home or recreational vehicle or at a recreational campsite except into a sewerage system approved by the department.

(2) The operator or permittee of a mobile home park, lodging park, recreational vehicle park, or recreational camp shall provide such means for the emptying of such receptacles and for their cleaning as specified in the rules of the department.

History.—s. 1, ch. 19365, 1939; CGL 1940 Supp. 4150(2); ss. 19, 35, ch. 69-106; s. 3, ch. 76-168; s. 445, ch. 77-147; s. 1, ch. 77-457; ss. 2, 3, ch. 81-318; ss. 8, 14, 15, ch. 83-321; ss. 14, 26, ch. 93-150.

513.10 Operating without permit; enforcement of chapter; penalties.—

(1) Any person who maintains or operates a mobile home park, lodging park, recreational vehicle park, or recreational camp without first obtaining a permit as required by s. 513.02, or who maintains or operates such a park or camp after revocation of the permit, is guilty of a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083.

(2) This chapter or rules adopted under this chapter may be enforced in the manner provided in s. 381.0012 and as provided in this chapter. Violations of this chapter and the rules adopted under this chapter are subject to the penalties provided in this chapter and in s. 381.0061.

History.—s. 1, ch. 19365, 1939; CGL 1940 Supp. 7849(a); s. 1, ch. 59-214; s. 3, ch. 76-168; s. 1, ch. 77-457; s. 6, ch. 80-351; ss. 2, 3, ch. 81-318; ss. 10, 14, 15, ch. 83-321; s. 10, ch. 84-182; s. 129, ch. 91-224; s. 57, ch. 91-297; ss. 15, 26, ch. 93-150; s. 125, ch. 2012-184; s. 23, ch. 2024-180.

513.1115 Placement of recreational vehicles on lots in permitted parks.—

(1) Separation distances between recreational vehicle sites within a recreational vehicle park must be the distances established at the time of the initial approval of the recreational vehicle park by the department and the local government.

(2) Setback distances from the exterior property boundary of the recreational vehicle park must be the setback distances established at the time of the initial approval by the department and the local government.

(3) If a recreational vehicle park is damaged or destroyed as a result of wind, water, or other natural disaster, the park may be rebuilt on the same site using the same density standards that were approved and permitted before the park was damaged or destroyed.

(4) This section does not limit the regulation of the uniform firesafety standards established under s. 633.206. However, this section supersedes any county, municipality, or special district ordinance or regulation regarding the lot size, lot density, or separation or setback distance of a recreational vehicle park which goes into effect after the initial permitting and construction of the park.

History.—s. 3, ch. 2013-91; s. 125, ch. 2014-17; s. 5, ch. 2020-126.

513.112 Maintenance of guest register and copy of laws.—

(1) It is the duty of each operator of a recreational vehicle park that rents to transient guests to maintain at all times a register, signed by or for guests who occupy rental sites within the park. The register must show the dates upon which the rental sites were occupied by such guests and the rates charged for the guests' occupancy. This register shall be maintained in chronological order and shall be available for inspection by the department at any time. An operator is not required to retain a register that is more than 2 years old.

(2) Such operator shall maintain at all times a current copy of this chapter in the park office, which shall be made available to a member of the public upon request.

(3) When a guest occupies a recreational vehicle in a recreational vehicle park for less than 6 months, as evidenced by the length of stay shown in the guest register, there is a rebuttable presumption that the occupancy is transient.

History.—s. 11, ch. 84-182; s. 1, ch. 85-65; s. 36, ch. 92-78; s. 17, ch. 93-150; s. 4, ch. 2020-126.

513.114 Liability for property of guests.—

(1) The operator of a recreational vehicle park is not under any obligation to accept for safekeeping any moneys, securities, jewelry, or precious stones of any kind belonging to any guest; and, if such properties are accepted for safekeeping, the operator is not liable for the loss of any of the properties unless such loss was the proximate result of fault or negligence of the operator. However, if the recreational vehicle park gave a receipt for the property, which receipt had a statement of the property value on a form which stated, in type large enough to be clearly noticeable, that such park was not liable for a greater amount than $1,000 for any loss exceeding $1,000 and was only liable for an amount up to $1,000 if the loss was the proximate result of fault or negligence of the operator, the liability of the operator is limited to $1,000 for such loss.

(2) The operator of a recreational vehicle park is not liable or responsible to any guest for the loss of wearing apparel, goods, or other property, except as provided in subsection (1), unless such loss occurred as the proximate result of fault or negligence of such operator; and, in case of fault or negligence, the operator is not liable for a greater sum than $500, unless the guest, prior to the loss or damage, filed with the operator an inventory of the guest's effects and their value and the operator was given an opportunity to inspect such effects and check them against such inventory. The operator of a recreational vehicle park is not liable or responsible to any guest for a greater amount than $1,000 for the loss of effects listed in such inventory as having a value of a total amount exceeding $1,000.

History.—s. 11, ch. 84-182; s. 1, ch. 85-65; s. 63, ch. 87-225; s. 36, ch. 92-78; s. 18, ch. 93-150.

513.115 Unclaimed property.—Any property having an identifiable owner which remains unclaimed after having been held by the park for 90 days after written notice was provided to the guest or the owner of the property becomes the property of the park. Any property that is left by a guest who has vacated the premises without notice to the operator and who has an outstanding account is considered abandoned property, and disposition thereof shall be governed by the Disposition of Personal Property Landlord and Tenant Act under s. 715.10 or under s. 705.185, as applicable.

History.—s. 13, ch. 84-182; s. 1, ch. 85-65; s. 64, ch. 87-225; s. 36, ch. 92-78; s. 19, ch. 93-150; s. 6, ch. 2020-126.

513.117 Park rules and regulations.—Any operator of a recreational vehicle park may establish reasonable rules and regulations for the management of the park and its guests and employees; and each guest or employee staying, sojourning, or employed in the park shall conform to, and abide by, such rules and regulations so long as the guest or employee remains in or at the park. Such rules and regulations are deemed to be a special contract between the operator and each guest or employee using the facilities or services of the recreational vehicle park and control the liabilities, responsibilities, and obligations of all parties. Any rules or regulations established pursuant to this section must be printed in the English language and posted, together with a copy of ss. 513.114, 513.121, and 513.13 and a notice stating that a current copy of this chapter is available in the park office for public inspection, in the registration area of such recreational vehicle park.

History.—s. 11, ch. 84-182; s. 1, ch. 85-65; s. 36, ch. 92-78; s. 20, ch. 93-150.

513.118 Conduct on premises; refusal of service.—

(1) The operator of a recreational vehicle park may refuse to provide accommodations, service, or access to the premises to any transient guest or visitor whose conduct on the premises of the park displays intoxication, profanity, lewdness, or brawling; who indulges in such language or conduct as to disturb the peace, quiet enjoyment, or comfort of other guests; who engages in illegal or disorderly conduct; or whose conduct constitutes a nuisance or safety hazard.

(2) The operator of a recreational vehicle park may request that a transient guest or visitor who violates subsection (1) leave the premises immediately. A person who refuses to leave the premises commits the offense of trespass as provided in s. 810.08, and the operator may call a law enforcement officer to have the person and his or her property removed under the supervision of the officer. A law enforcement officer is not liable for any claim involving the removal of the person or property from the recreational vehicle park under this section, except as provided in s. 768.28. If conditions do not allow for immediate removal of the person's property, he or she may arrange a reasonable time, not to exceed 48 hours, with the operator to come remove the property, accompanied by a law enforcement officer.

(3) Such refusal of accommodations, service, or access to the premises may not be based upon race, color, national origin, sex, physical disability, or creed.

History.—s. 13, ch. 84-182; s. 1, ch. 85-65; s. 36, ch. 92-78; s. 21, ch. 93-150; s. 7, ch. 2020-126.

513.121 Obtaining accommodations in a recreational vehicle park with intent to defraud; penalty; rules of evidence.—

(1) Any person who obtains accommodations in a recreational vehicle park which have a value of less than $300 on a transient basis, with intent to defraud the operator of the park, is guilty of a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083; if such accommodations have a value of $300 or more, such person is guilty of a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(2) In a prosecution under subsection (1), proof that the accommodations were obtained by false pretense; by false or fictitious show of property; by absconding without paying, or offering to pay, for such accommodations; or by surreptitiously removing, or attempting to remove, a recreational vehicle, park trailer, or tent constitutes prima facie evidence of fraudulent intent. If the operator of the park has probable cause to believe, and does believe, that any person has obtained accommodations at the park with intent to defraud the operator of the park, the failure to make payment upon demand for payment, there being no dispute as to the amount owed, constitutes prima facie evidence of fraudulent intent.

History.—s. 13, ch. 84-182; s. 1, ch. 85-65; s. 131, ch. 91-224; s. 36, ch. 92-78; s. 22, ch. 93-150.

513.122 Theft of personal property; detention and arrest of violator; theft by employee.—

(1) Any law enforcement officer or operator of a recreational vehicle park who has probable cause to believe, and does believe, that theft of personal property belonging to such park has been committed by a person and that the officer or operator can recover such property or the reasonable value thereof by taking the person into custody may, for the purpose of attempting to effect such recovery or for prosecution, take such person into custody on the premises and detain such person in a reasonable manner and for a reasonable period of time. If the operator takes the person into custody, a law enforcement officer shall be called to the scene immediately. The taking into custody and detention by a law enforcement officer or an operator of a recreational vehicle park, if done in compliance with this subsection, does not render such law enforcement officer or operator criminally or civilly liable for false arrest, false imprisonment, or unlawful detention.

(2) Any law enforcement officer may arrest, either on or off the premises and without warrant, any person if there is probable cause to believe that person has committed theft in a recreational vehicle park.

(3) Any person who resists the reasonable effort of a law enforcement officer or an operator of a recreational vehicle park to recover property that the law enforcement officer or operator has probable cause to believe had been stolen from the recreational vehicle park and who is subsequently found to be guilty of theft of the subject property is guilty of a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083, unless such person did not know, or did not have reason to know, that the person seeking to recover the property was a law enforcement officer or the operator of the recreational vehicle park. For purposes of this section, the charge of theft and the charge of resisting apprehension may be tried concurrently.

(4) Theft of any property belonging to a guest of a recreational vehicle park permitted under this chapter, or of property belonging to such a park, by an employee of the park or by an employee of a person that has contracted to provide services to the park constitutes a felony of the third degree, punishable as provided in s. 775.082 or s. 775.083.

History.—s. 13, ch. 84-182; s. 1, ch. 85-65; s. 36, ch. 92-78; s. 23, ch. 93-150.

513.13 Recreational vehicle parks; ejection; grounds; proceedings.—

(1) The operator of any recreational vehicle park may remove or cause to be removed from such park, in the manner provided in this section, any transient guest of the park who, while on the premises of the park, illegally possesses or deals in a controlled substance as defined in chapter 893; who disturbs the peace, quiet enjoyment, and comfort of other persons; who causes harm to the physical park; who violates the posted park rules and regulations; or who fails to make payment of rent at the rental rate agreed upon and by the time agreed upon. The admission of a person to, or the removal of a person from, any recreational vehicle park may not be based upon race, color, national origin, sex, physical disability, or creed.

(2) The operator of any recreational vehicle park shall notify such guest that the park no longer desires to entertain the guest and shall request that such guest immediately depart from the park. Such notice shall be given in writing, as follows: "You are hereby notified that this recreational vehicle park no longer desires to entertain you as its guest, and you are requested to leave at once. To remain after receipt of this notice is a misdemeanor under the laws of this state." If such guest has paid in advance, the park shall, at the time such notice is given, tender to the guest the unused portion of the advance payment. Any guest who remains or attempts to remain in such park after being requested to leave commits a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083.

(3) If a guest has accumulated an outstanding account in excess of an amount equivalent to 3 nights' rent at a recreational vehicle park, the operator may disconnect all utilities of the recreational vehicle and notify the guest that the action is for the purpose of requiring the guest to confront the operator or permittee and arrange for the payment of the guest's account. Such arrangement must be in writing, and a copy shall be furnished to the guest. Upon entering into such agreement, the operator shall reconnect the utilities of the recreational vehicle.

(4) If any person is illegally on the premises of any recreational vehicle park, the operator of such park may call upon any law enforcement officer of this state for assistance. It is the duty of such law enforcement officer, upon the request of such operator, to remove from the premises or place under arrest any guest who, according to the park operator, violated subsection (1) or subsection (2). If a warrant has been issued by the proper judicial officer for the arrest of any guest who violates subsection (1) or subsection (2), the officer shall serve the warrant, arrest the guest, and take the guest into custody. Upon removal or arrest, with or without warrant, the guest is deemed to have abandoned or given up any right to occupancy of the premises of the recreational vehicle park; and the operator of the park shall employ all reasonable and proper means to care for any personal property left on the premises by such guest and shall refund any unused portion of moneys paid by such guest for the occupancy of such premises. If conditions do not allow for immediate removal of the guest's property, he or she may arrange a reasonable time, not to exceed 48 hours, with the operator to come remove the property, accompanied by a law enforcement officer.

(5) In addition to the grounds for ejection established by law, grounds for ejection may be established in a written lease agreement between a recreational vehicle park operator or permittee and a recreational vehicle park guest.

History.—ss. 11, 15, ch. 83-321; s. 12, ch. 84-182; s. 93, ch. 85-81; s. 132, ch. 91-224; ss. 24, 26, ch. 93-150; s. 8, ch. 2020-126.

513.151 Recreational vehicle parks; guests in transient occupancy; operator's rights and remedies; writ of distress.—This section applies only to guests in transient occupancy in a recreational vehicle park.

(1) OPERATOR'S RIGHT TO DISCONNECT UTILITIES.—

(a) If an operator of a recreational vehicle park makes a reasonable determination that a guest has accumulated a large outstanding account at such park, the operator may disconnect all utilities of the recreational vehicle or tent, except that the operator must not by such actions create a sanitary nuisance. The operator may also take such other measures considered necessary for the purpose of requiring the guest to confront the operator and arrange for payment on the guest's account. Such arrangement must be in writing, and a copy shall be furnished to the guest.

(b) Once the guest has confronted the operator and made arrangement for payment on the guest's account, the operator shall reconnect the utilities of the recreational vehicle or tent, or otherwise reverse the measures taken under paragraph (a).

(2) OPERATOR'S RIGHT TO RECOVER PREMISES.—If the guest of a recreational vehicle park vacates the premises without notice to the operator and the operator reasonably believes the guest does not intend to satisfy the outstanding account, the operator may recover the premises by removing the recreational vehicle or tent from the site. The operator shall take all reasonable and proper means to care for the recreational vehicle or tent until a settlement or a final court judgment is obtained on the guest's outstanding account. Upon recovery of the premises, the operator shall seal, or cause to be sealed, the recreational vehicle in the presence of at least one other person who is not an agent of the operator or shall make an itemized inventory of any property belonging to the guest and store such property until a settlement or a final court judgment is obtained on the guest's outstanding account. Such inventory shall be conducted by the operator and at least one other person who is not an agent of the operator.

(3) OPERATOR'S WRIT OF DISTRESS.—If, after there has been a disconnection of utilities pursuant to subsection (1), a guest fails to make the agreed-upon payments on the guest's account, or, notwithstanding subsection (1), if a guest vacates the premises without making payment on the guest's outstanding account, the operator may proceed to prosecute a writ of distress against the guest and the guest's property. The writ of distress must be predicated on the lien created by s. 713.77.

(a) An action under this subsection must be brought in a court of appropriate jurisdiction in the county where the property is located. If the property consists of separate articles, the value of any one of which articles is within the jurisdictional amount of a lower court but the total value of which articles, taken together, exceeds that jurisdictional amount, the plaintiff may not divide the property to give jurisdiction to the lower court so as to enable the plaintiff to bring separate actions for the property.

(b) To obtain an order authorizing the issuance of a writ of distress upon final judgment, the plaintiff must first file with the clerk of the court a complaint reciting and showing the following information:

1. A statement of the amount of the guest's account at the recreational vehicle park.

2. A statement that the plaintiff is the operator of the recreational vehicle park in which the guest has an outstanding account. If the plaintiff's interest in such account is based on written documents, copies of such documents must be attached to the complaint.

3. A statement that the operator has made a reasonable attempt to obtain payment from the guest for an outstanding account, either by confronting the guest or by a disconnection of utilities pursuant to subsection (1), and a statement that the guest has failed to make any payment or that the guest has vacated the premises without paying the outstanding account.

4. A statement that the account is outstanding and unpaid by the guest; a statement of the services provided to the guest for which the outstanding account was accumulated; and a statement of the cause of such nonpayment according to the best knowledge, information, and belief of the plaintiff.

5. A general statement as to what property the plaintiff is requesting levy against, including the property included in the inventory conducted pursuant to subsection (2) if the operator has recovered the premises, and a statement of the authority under which the plaintiff has a lien against such property.

6. A statement, to the best of the plaintiff's knowledge, that the claimed property has not been taken for a tax, assessment, or fine pursuant to law or taken under an execution or attachment by order of any court.

(c) The officer of the court to whom a writ of distress is directed shall execute the writ of distress by serving it on the defendant and by levying on the property distrainable for services rendered, if such property is found within the area of the officer's jurisdiction. If the property is not found in that jurisdiction but is in another jurisdiction, the officer shall deliver the writ to the proper authority in the other jurisdiction. The writ shall be executed by levying on such property and delivering it to the officer of the court in which the action is pending, and the property shall be disposed of according to law, unless the officer is ordered by such court to hold the property and dispose of it according to law. If the defendant cannot be found, the levy on the property suffices as service of the

writ on the defendant if the plaintiff and the officer each file a sworn statement stating that the whereabouts of the defendant are unknown.

(4) OPERATOR'S PREJUDGMENT WRIT OF DISTRESS.—

(a) A prejudgment writ of distress may issue, and the property seized may be delivered forthwith to the plaintiff, if the nature of the claim, the amount of the claim, and the grounds relied upon for the issuance of the writ clearly appear from specific facts shown by the verified petition or by a separate affidavit of the plaintiff.

(b) The prejudgment writ of distress may issue if the court finds, pursuant to paragraph (a), that the defendant has failed to make payment as agreed and that the defendant is engaging in, or is about to engage in, conduct that may place the claimed property in danger of being destroyed, being concealed, being removed from the state, being removed from the jurisdiction of the court, or being transferred to an innocent purchaser during the pendency of the action.

(c) A prejudgment writ of distress may issue only upon a signed order of a circuit judge or a county court judge. The prejudgment writ of distress must include a notice of the defendant's right to an immediate hearing before the court issuing the writ.

(d) The plaintiff must post bond in the amount of twice the estimated value of the goods subject to the writ or twice the balance of the outstanding account, whichever is the lesser amount as determined by the court, as security for the payment of damages the defendant may sustain if the writ is wrongfully obtained.

(e) The prejudgment writ issued under this subsection must command the officer to whom it may be directed to distrain the described personal property of the defendant and hold such property until final judgment is rendered.

(f)1. The defendant may obtain release of the property seized under a prejudgment writ of distress by posting bond with a surety within 10 days after service of the writ, in the amount of 125 percent of the claimed outstanding account, for the satisfaction of any judgment that may be rendered against the defendant, conditioned upon delivery of the property if the judgment should require it.

2. As an alternative to the procedure prescribed in subparagraph 1., the defendant, by motion filed with the court within 10 days after service of the writ, may obtain the dissolution of a prejudgment writ of distress, unless the plaintiff proves the grounds upon which the writ was issued. The court shall set such motion for an immediate hearing.

(5) INVENTORY OF DISTRAINED PROPERTY.—When the officer seizes distrainable property, either under paragraph (3)(c) or paragraph (4)(e), and such property is seized on the premises of a recreational vehicle park, the officer shall inventory the property; hold those items which, upon the officer's appraisal, would satisfy the plaintiff's claim; and return the remaining items to the defendant. If the defendant cannot be found, the officer shall hold all items of property seized. The officer may release the property only pursuant to law or a court order.

(6) EXECUTION ON PROPERTY IN POSSESSION OF THIRD PERSON.—If the property to be distrained is in the possession of the defendant at the time of the issuance of a writ under subsection (3) or a prejudgment writ under subsection (4) and the property passes into the possession of a third person before the execution of the writ, the officer holding the writ shall execute it on the property in the possession of the third person and shall serve the writ on the defendant and the third person; and the action, with proper amendments, shall proceed against the third person.

(7) CLAIM BY THIRD PERSON TO DISTRAINED PROPERTY.—A third person claiming any property distrained pursuant to this chapter may interpose and prosecute a claim for that property in the same manner as is provided for similar cases of claim to property levied on under execution.

(8) JUDGMENT.—

(a) *For plaintiff.*—

1. If it appears that the account stated in the complaint is wrongfully unpaid, and the property described in such complaint is the defendant's and was held by the officer executing the prejudgment writ, the plaintiff shall have judgment for the damages sustained by the plaintiff, which judgment may include reasonable attorney's fees and costs, by taking title to the defendant's property in the officer's possession or by having the property sold as prescribed in subsection (9).

2.a. If it appears that the property was retained by, or redelivered to, the defendant on the defendant's forthcoming bond, either under subparagraph (4)(f)1. or subparagraph (4)(f)2., the plaintiff shall take judgment for the property, which judgment may include reasonable attorney's fees and costs, and against the defendant and the surety on the forthcoming bond for the value of the outstanding account; and the judgment, which may include reasonable attorney's fees and costs, shall be satisfied by the recovery and sale of the property or the amount adjudged against the defendant and the defendant's surety.

b. After the judgment is rendered, the plaintiff may seek a writ of possession for the property and execution for the plaintiff's costs or may have execution against the defendant and the defendant's surety for the amount recovered and costs. If the plaintiff elects to have a writ of possession for the property and the officer returns that the officer is unable to find the property or any part of it, the plaintiff may immediately have execution against the defendant and the defendant's surety for the whole amount recovered less the value of any property found by the officer. If the plaintiff has execution for the whole amount, the officer shall release all property taken under the writ of possession.

c. In any proceeding to ascertain the value of the property so that judgment for the value may be entered, the value of each article must be found. When a lot of goods, wares, or merchandise has been distrained, it is sufficient to ascertain the total value of the entire lot found, and it is not necessary to ascertain the value of each article of the lot.

(b) *For defendant.*—

1. If property has been retained by, or redelivered to, the defendant on the defendant's forthcoming bond or upon the dissolution of a prejudgment writ and the defendant prevails, the defendant shall have judgment against the plaintiff for any damages of the defendant for the taking of the property, which judgment may include reasonable attorney's fees and costs.

2. If the property has not been retained by, or redelivered to, the defendant and the defendant prevails, judgment shall be entered against the plaintiff for possession of the property, which judgment may include reasonable attorney's fees and costs.

3. The remedies provided in this paragraph do not preclude any other remedies available under the laws of this state.

(9) SALE OF DISTRAINED PROPERTY.—

(a) If the judgment is for the plaintiff, the property in whole or in part shall, at the plaintiff's option pursuant to subparagraph (8)(a)1. or subparagraph (8)(a)2., be sold and the proceeds applied to the payment of the judgment.

(b) Before any property levied on is sold, it must be advertised two times, the first advertisement being at least 10 days before the sale. All property so levied on may be sold on the premises of the recreational vehicle park or at the courthouse door.

(c) If the defendant appeals and obtains a writ of supersedeas before sale of the property, the officer executing the writ shall hold the property, and there may not be any sale or disposition of the property until final judgment is had on appeal.

(10) EXEMPTIONS FROM DISTRESS AND SALE.—The following property of a guest is exempt from distress and sale under this chapter:

(a) From final distress and sale: clothing; and items essential to the health and safety of the guest.

(b) From prejudgment writ of distress: clothing; items essential to the health and safety of the guest; and any tools of the guest's trade or profession, business papers, or other items directly related to such trade or profession.

History.—s. 13, ch. 84-182; s. 1, ch. 85-65; s. 94, ch. 85-81; s. 36, ch. 92-78; s. 25, ch. 93-150.

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