

ORDINANCE 760

AN ORDINANCE OF THE CITY OF MEXICO BEACH, FLORIDA, AMENDING § 150.04 OF THE CITY CODE REGARDING USE AND STORAGE OF RECREATIONAL VEHICLES; ALLOWING STORAGE; ELIMINATING CERTAIN SHORT TERM USAGE; AND MODIFYING THE PROCESS AND RULE THAT ALLOWS FOR OCCUPANCY DURING CONSTRUCTION OF A RESIDENCE; PROVIDING FOR SEVERABILITY, CODIFICATION, AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, § 150.04 of the Mexico Beach City Code regulates the use and occupancy of recreational vehicles in the City; and

WHEREAS, that Section allows parking of a recreational vehicle for no more than fourteen days per calendar year, while also allowing storage of a recreational vehicle; and

WHEREAS, the City's intent is not to limit storage of a recreational vehicle to fourteen days per calendar year and this Ordinance eliminates that inconsistency; and

WHEREAS, the City's general intent continues to be that recreational vehicles may not be used as a dwelling unit or as supplemental living space for a home, but may be stored between usage for traveling or off-site camping; and

WHEREAS, the City's current rule that allows temporary occupation of no more than fourteen days cumulatively per year has been abused and has proven to be impracticable to enforce given the extent of administrative time and involvement that it would require to enforce effectively; and

WHEREAS, discouraging the parking of recreational vehicles in the City for purposes other than storage between uses for traveling or off-site camping improves the aesthetics of the City; and

WHEREAS, ceasing to allow short term occupancy of recreational vehicles and prohibiting water and sewer connections to recreational vehicles that are supposed to be stored will more clearly differentiate when a recreational vehicle is being validly stored, will discourage the use of recreational vehicles for impermissible purposes and, therefore, advances the public health, safety, and welfare by avoiding the use of vehicles as dwelling units or supplemental living spaces that are not be subject to the more stringent building, health, and safety codes applicable to buildings; and

WHEREAS, the amendments provided herein place reasonable conditions on use to ensure that occupancy may be differentiated from storage and advance the public health, safety, and welfare; and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MEXICO BEACH, FLORIDA:

SECTION 1. FINDINGS OF FACT. The foregoing recitals are hereby ratified and confirmed as being true and correct and are hereby made a part of this ordinance.

SECTION 2. AMENDMENTS TO CODE. From and after the effective date of this ordinance, § 150.04 of the of the Mexico Beach City Code related to Travel Trailers, Motor Homes, Mobile Campers and Recreational Vehicles is amended to read as follows (new text **bold and underlined**, deleted text ~~struckthrough~~):

The use and occupancy of travel trailers, motor homes, mobile campers and recreational vehicles in the city should be regulated in order to promote the health, safety and welfare of the people of the city, and that the following holds true.

(A) For the purpose of this section, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

OCCUPY. Sleeping overnight in ~~or parking~~ **occupying** a recreational vehicle, as defined herein, in any location or at any site longer than 12 hours.

RECREATIONAL VEHICLES. Herein-after identified as *RVs*, shall be defined as a powered or non-powered wheeled vehicle containing or accompanied by toilet facilities, and/or cooking facilities, and shall include travel trailers, motor homes and mobile campers, and “pop-up” campers.

(B) RVs may be used and occupied as office and equipment storage facilities at the construction site of any properly permitted construction or building.

(C) RVs may be used and occupied within a RV park.

(D) RVs may be occupied as temporary housing at the permitted construction of a residence **by the owners of the property after issuance of a permit by the City following submission of a written application to the City. An RV may not be placed pursuant a permit under this paragraph until construction has physically begun on the site. Permitting, design, and land clearing activities shall not be sufficient to allow an RV to be placed.** The use of such RVs as temporary housing shall cease upon ~~completion of such construction~~ **issuance of a certificate of occupancy or a temporary certificate of occupancy** or upon the passage of one and one-half years **since the date of first issuance of a building permit for the construction**, whichever shall occur sooner. RVs used as such will be connected to a proper and permitted sewage disposal system at the construction site.

~~(E) RVs may be occupied for short-term durations, not to exceed 14 days per calendar year, when visiting premises furnishing adequate toilet facilities.~~

~~(E)~~ **(E)** Self-contained toilets or sewage connections in or accompanying ~~travel trailers~~ **RVs** shall not be connected or dumped in the city, except to a sewer connection or licensed dumping station adequate for the disposal of same. **Such connections or direct connections to the City’s water system shall not be allowed for RVs that are being stored pursuant to paragraph (F) below and connecting to the City’s sewer or water system under that circumstance shall be an immediate violation of the City Code.**

~~(G)~~ **(F)** Storage ~~or parking~~ of RVs **for personal use and not for compensation** shall be permitted **on a parcel that has an occupied dwelling unit** ~~throughout the city,~~ provided ~~they are~~ **that the RV is not occupied. Storage of an RV on a vacant parcel is not allowed.**

~~(H) Occupation of a RV may exceed 14 days due to reasons of hardship with approval of a special RV permit by the City Administrator. Approval may be granted for up to 30 additional days, at which point the person suffering the hardship must receive additional approval for up to 30 additional days and every 30 days thereafter.~~

(G) Except as provided herein, it shall be a misdemeanor of the second degree to occupy, live in, dwell in, or reside in any travel trailer in the city, and each day of such occupation shall be a separate offense.

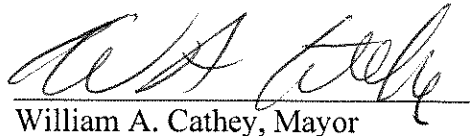
SECTION 3. SEVERABILITY. If any provision of this ordinance or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are severable.

SECTION 4. SCRIVENER'S ERROR. The city attorney may correct scrivener's errors found in this ordinance by filing a corrected copy of this ordinance with the city clerk.

SECTION 5. CODIFICATION. The appropriate officers and agents of the City are authorized and directed to codify, include and publish in electronic format the provisions of this Ordinance within the Mexico Beach City Code. Section numbers may be assigned and changed whenever necessary or convenient.

SECTION 6. EFFECTIVE DATE. This ordinance takes effect immediately upon adoption.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Mexico Beach, Florida, this 13 day of April, 2021.


William A. Cathey, Mayor

ATTEST:


City Clerk, Tammy Brunson