



TOWN OF INGLIS
REGULAR COMMISSION MEETING
TUESDAY FEBRUARY 13, 2024, 6:00 PM
TOWN HALL COMMISSION ROOM

If a person decides to appeal any decision made by the Town Commission with respect to any matter considered at this meeting, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

ALL PERSONS DESIRING TO ADDRESS THE TOWN COMMISSION WILL BE ASKED TO LIMIT THEIR COMMENTS TO THE SPECIFIC SUBJECT BEING DISCUSSED AND WILL BE HELD TO ONE(1), Three (3) MINUTE TIME PERIOD PER AGENDA ITEM.

*******Please silence all electronic devices*******

PRAYER & PLEDGE

THESE PROCEEDINGS ARE BEING CONDUCTED IN ACCORDANCE
TO ROBERT'S RULES OF ORDER

ROLL CALL:
COMMISSIONER BRODHEAD
COMMISSIONER REARDON

COMMISSIONER JACOBS-PRATT
ATTORNEY FUGATE

Motion to Adopt Consent Agenda.

CONSENT AGENDA

1. Minutes:

January 2, 2024, Special
January 3, 2024, Special
January 16, 2024, Special
January 16, 2024, Regular
January 23, 2024, Workshop
January 29, 2024, Special

Motion to Adopt Agenda As Written

REGULAR AGENDA

2. Old Business:

1. Budget Amendment for Water Filters, Future Filters
and Plant repair: Comm. Reardon

3. New Business:

1. Discussion and vote: The Town Attorney present at all planning Commission meetings : Comm Reardon
2. Discussion and vote: Postpone selection of Planning Commission members to a later date : Comm. Reardon
3. Discussion on the loitering at the Circle K and Lil Caesars tables: Comm. Brodhead
4. Review Sec. 66-3 Ord. 06-06: Comm. Brodhead
5. Planning Commission requests reviewing and changing Fence set back from property line Ordinance: Comm. Jacobs-Pratt
6. Discuss permitting for shipping containers: Comm. Jacobs-Pratt

4. Ordinances, Resolutions, Etc.

5. Contracts/Agreements:

6. Dept. Report by Commissioners:

Budget & Finance: Comm. Reardon

Sheriff & Fire: Comm. Brodhead

Main., Roads & Bridge: Comm. Jacobs-Pratt

Water Operations: Comm. Brodhead

Health, Welfare & Rec: Comm. Reardon

Code Enforcement, Planning & Zoning: Comm Jacobs-Pratt

Animal Control: Comm. Brodhead

7. Public Comments:

8. Workshops/Special Meetings:

9. Mayor:

10. Town Clerk:

11. Attorney:

Adjourn.

Town of Inglis
Regular Commission
Special Meeting
January 2, 2024 @ 5PM

Prayer & Pledge

Roll Call:

Commissioner Veronica Reardon (Present)

Commissioner David Jacobs-Pratt (Present)

Attorney Fugate (Present)

Agenda

1. Swear in Appointed Commissioners

Attorney Fugate Swore in Harry Broadhead

Commissioner Veronica Reardon made an amendment to remove Items 3, and 4 from agenda.

Commissioner Harry Broadhead made a motion to remove items 3, and 4 from agenda, Seconded by David Jacobs- Pratt. Motion passed 3-0.

2. Motion for removing Mayor Michael White & adding Deputy Town Clerk/ Accounts Payable Clerk, Tammy Ballinger to CD Accounts at Seacoast Bank & leaving Town Clerk, Cery Logeman on CD Accounts: 3001000186, 3001000187, 3001000188, 0400014548.

Commissioner David Jacobs-Pratt made a motion to remove former Mayor Michael White from CD Accounts, and adding Deputy Town Clerk, Tammy Ballinger to CD Accounts, Seconded by Commissioner Harry Broadhead.

Steve Schwing explained that the Bank would like to read in each account Individually.

David Jacobs-Pratt made a motion to amend his motion to include the numbers of the CDs. Which include CD Account 3001000186, Account 3001000187, Account 3001000188, Account 0400014548, Seconded by Commissioner Harry Brodhead. Motion passed 3-0.

Janet Streeter made a comment.

Commissioner Veronica Reardon made a comment regarding vacant Departments and would like to add Present Commissioner to those Departments.

Attorney Fugate recommended to wait till next Regular Commission Meeting to fill Vacant Departments.

Discussion followed regarding RFP's

Steve Schwing made a comment.

Joyce Schwing made a comment.

Attorney Emphasizes Ethic Training for all Commissioners.

James Sparkman commented.

Michael White commented.

3. Open RFP Bids for Disaster Debris Monitoring & Financial Services
Item was removed from agenda.

4. Open RFP Bids for Emergency Debris Removal
Item was removed from agenda.

Adjourn

Commissioner Veronica Reardon made a motion to adjourn, Seconded by Commissioner Harry Brodhead. Motion passed 3-0.

Meeting adjourned at 5:37PM



Attested By: Town Clerk



Approved By: Chair

Transcribed By: Rachel Nordstrom, Water Clerk

Town of Inglis
Special Meeting
January 3, 2024 @ 6:15PM

Prayer & Pledge

Roll Call:

Commissioner David Jacobs-Pratt (Present)

Commissioner Harry Brodhead (Present)

Commissioner Veronica Reardon (Present)

Attorney Fugate (Absent)

Agenda

1. Open RFP Bids for Disaster Debris Monitoring & Financial Services

Commission opened RFP Bids.

2. Open RFP Bids for Emergency Debris Removal

Commission opened RFP Bids.

David Jacobs-Pratt made a motion to choose a Special Commission Session to introduce RFP responses to the public, and to make a decision. Seconded by Commissioner Harry Brodhead.

Discussion followed.

David Jacobs-Pratt amended his motion to have a Special Meeting on January 29, 2024, at 6PM to review the RFP Contractors and to make a decision. Seconded by Commissioner Harry Brodhead. Motion passed 3-0.

Discussion followed.

Drew White commented.

John Reardon commented.

Adjourn

Commissioner Harry Brodhead made a motion to adjourn, Seconded by Commissioner David Jacobs-Pratt. Motion passed 3-0.

Meeting adjourned at 6:41 PM


Attested By: Town Clerk


Approved By: Chair

Transcribed By: Rachel Nordstrom, Water Clerk

Town of Inglis
Special Meeting
January 16, 2024

Place: Town Hall

Time: 1:00PM

Prayer & Pledge

Roll Call:

Commissioner David Jacobs-Pratt (Present)
Commissioner Veronica Reardon (Present)
Commissioner Harry Brodhead (Absent)

Town Clerk, Cery Logeman (Present)
Bob Spiegl (Present)

Agenda

1. CDBG Roads/ Roofs Grant

Discussion followed regarding CDBG Grant update.
Questions were made regarding Roof Grant.

Meeting adjourned at 1:30PM



Attested By: Town Clerk



Approved By: Chair

Transcribed By: Rachel Nordstrom, Water Clerk

Town of Inglis
Regular Commission
January 16, 2024

Time: 6PM

Place: Town Hall

Prayer & Pledge

Roll Call:

Commissioner David Jacobs-Pratt (Present)

Commissioner Harry Brodhead (Present)

Commissioner Veronica Reardon (Present)

Attorney Fugate (Present)

Consent Agenda

Commissioner Harry Brodhead made a motion to accept the Consent Agenda, Seconded by Commissioner David Jacobs-Pratt. Motion passed 3-0.

1. Minutes:

January 2, 2024, Special meeting

January 3, 2024, Special meeting

Motion to Adopt Agenda As Written

Commissioner Harry Brodhead made a motion to adopt Agenda as written, Seconded by Commissioner David Jacobs- Pratt. Motion passed 3-0.

Regular Agenda

2. Old Business:

3. New Business:

Assign Commission Duties

Commissioner Harry Brodhead has offered to take Sheriff & Fire, Water, and Animal Control.

Commissioner Veronica Reardon made a motion to give Commissioner Harry Brodhead, Sheriff& Fire, Water, and Animal Control, Seconded by Commissioner Harry Brodhead. 3-0.

Commissioner Veronica Reardon made a motion to nominate Commissioner David Jacobs- Pratt for Maintenance, Roads & Bridges, Seconded by Commissioner Harry Brodhead. 3-0.

James Sparkman made a comment.

Drew White made a comment.

Commissioner Veronica Reardon made a motion to have Commissioner David Jacobs- Pratt take Code Enforcement, and Zoning, Seconded by Commissioner Harry Broadhead. 3-0.

Commissioner Harry Brodhead made a comment.

Commissioner Veronica Reardon made a comment.

Commissioner Veronica Reardon stated that she would like to take Health, Welfare & Recreation.

Commissioner Harry Brodhead made a motion to appoint Commissioner Veronica Reardon over Health, Welfare & Recreation, Seconded by Commissioner Veronica Reardon 3-0.

Commissioner Harry Brodhead made a comment.

Drew White made a comment.

Bill Monteverde made a comment.

Commissioner Harry Brodhead stated he would like to volunteer as Vice Chair.

Discussion followed.

Commissioner Veronica Reardon made a motion to nominate Harry Brodhead as Vice President, Seconded by Commissioner Harry Brodhead. Motion passed 3-0.

John MacDonald: Levy County Emergency Management

Discussion followed.

Commissioner Harry Brodhead made a motion to postpone this item until John MacDonald is Present, Seconded by Commissioner David Jacobs- Pratt.

Steve Schwing made a comment.

Commissioner Harry Brodhead amended the motion to table item until January 29, 2024, Special Meeting at 6 PM, Seconded by Commissioner Veronica Reardon. Motion passed 3-0.

4. Ordinances, Etc.
Ordinances 01-24

Attorney Fugate read and summed up Ordinance 01-24.

Commissioner Veronica Reardon made a motion for Ordinance 01-24- For the obstruction of waterways, the Town Commission of the Town of Inglis to Amend the Laws of Inglis, Relating to Waterways; Providing the Codification; Proving for Severability; and Providing an effective Date, Seconded by Commissioner Harry Brodhead. Motion passed 3-0.

James Sparkman made a comment.

Steve Schwing made a comment.

Bill Monteverde made a comment.

Drew White made a comment.

Joyce Schwing made a comment.

Commissioner Harry Brodhead made a motion to add Ordinance 01-24 to the Agenda on January 29th at 6PM, Seconded by Commissioner Veronica Reardon. Motion passed 3-0.

5. Contracts/ Agreements:

6. Dept. Report by Commissioners:

Budget& Finance:

Commissioner Veronica Reardon gave report.

Sheriff & Fire:

Commissioner Harry Brodhead gave report.

Maintenance, Roads & Bridges:

Commissioner David Jacobs-Pratt gave report.

Water Operations:

Commissioner Harry Brodhead gave report.

Health, Welfare & Recreation:

Commissioner Veronica Reardon gave report.

Upcoming Events: Easter Event at the Ball Park on March 23 from 11-3.

Code Enforcement, Planning & Zoning:

Commissioner David Jacobs- Pratt gave report.

Animal Control:

Commissioner Harry Brodhead gave report.

7. Public Comments:

Joyce Schwing mentioned adding a Painting on the Wall at the Municipal Building.

Susan Dorris commented.

James Sparkman commented on all the Golf Carts, and ATV's on the sidewalks.

Judy Plum questioned why are there no Budget Reports?

Code Enforcement Officer, Ed Birkler commented.

8. Workshops/ Special Meetings:

Next Special Meeting will be January 29th at 6PM

Next Workshop Meeting will be January 23rd at 6PM

9. Town Clerk:

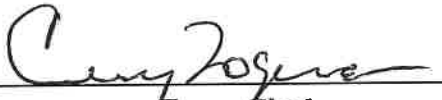
Qualifying for Election will be from January 22 to January 26th.

10. Attorney:

Adjourn:

Commissioner Harry Brodhead made a motion to adjourn, Seconded by Commissioner David Jacobs-Pratt. Motion passed 3-0.

Meeting adjourned at 7:27PM


Attested By: Town Clerk


Approved By: Chair

Transcribed By: Rachel Nordstrom, Water Clerk

Town of Inglis
Workshop
January 23, 2024

Time: 6PM

Place: Town Hall

Prayer & Pledge

Roll Call:

Commissioner David Jacobs-Pratt (Present)

Commissioner Harry Brodhead (Present)

Commissioner Veronica Reardon (Present)

Attorney Fugate (Present)

Commissioner Harry Brodhead made a motion to change the order of the agenda, seconded by Commissioner David Jacobs-Pratt. Motion passed 3-0.

Agenda

1. Statewide Mutual Aid Agreement discussion

John Macdonald Explained what the Statewide Mutual Aid Agreement is.

Questions were asked.

Attorney Fugate explained the difference between Statewide Mutual Aid agreement and Debris Removal agreement.

2. Review PFP Bids

Discussion was held.

Questions were asked.

Commissioner Veronica Reardon stated that voting on RFP Bids will be done on January 29th, 2024.

Commissioner Veronica Reardon stated that the Towns Attorney needs to be present during each Planning Commission meeting.

Attorney Fugate made a comment regarding Town Attorney being present at each Planning Commission meeting.

Discussion followed.

Commissioner David Jacobs-Pratt questioned Form 6.

Discussion followed.

Adjourn:

Commissioner David Jacobs-Pratt made a motion to adjourn, Seconded by Commissioner Harry Brodhead. Motion passed 3-0.

Meeting adjourned at 7:29PM



Attested By: Town Clerk



Approved By: Chair

Transcribed By: Rachel Nordstrom, Water Clerk

Town of Inglis
Special Meeting
January 29, 2024

Time: 6PM

Place: Town Hall

Prayer & Pledge

Roll Call:

Commissioner David Jacobs-Pratt (Present)

Commissioner Harry Brodhead (Present)

Commissioner Veronica Reardon (Present)

Attorney Fugate (Present)

Commissioner Harry Brodhead made a motion to move Item number 3 to the top, Seconded by Commissioner David Jacobs-Pratt. Motion passed 3-0.

Agenda

1. Ordinance 01-24

Bill Monteverde commented.

Discussion followed.

Attorney Fugate read Ordinance 162.04.

Commissioner Brodhead made a motion to accept Ordinance 01-24, Seconded by Commissioner David Jacobs-Pratt. Motion Passed 3-0.

Attorney Fugate read Ordinance 01-24 into record.

2. Discuss and vote on RFP Bids

Discussion followed.

Commission Ranked each Bid in the order of TFR first, FDR Second, and KDF third.

3. John Macdonald: Statewide Mutual Aid Agreement Discussion

Commissioner David Jacobs-Pratt made a motion to accept the Statewide Mutual Aid Agreement, Seconded by Commissioner Harry Brodhead. Motion passed 3-0.

Commissioner David Jacobs- Pratt made a motion to accept the Amendment to traffic signal maintenance and Compensation agreement, Seconded by Commissioner Harry Brodhead. Motion passed 3-0.

Adjourn:

Commissioner Harry Brodhead made a motion to adjourn, Seconded by Commissioner David Jacobs- Pratt.

Motion passed 3-0.

Meeting adjourned at 6:53PM



Attested By: Town Clerk



Approved By: Chair

Transcribed By: Rachel Nordstrom, Water Clerk

TOWN OF INGLIS COMMISSION MEETING
AGENDA REQUEST FORM

All persons requesting items to be placed on the Agenda for the next Regular Town Meeting must fill out an Agenda REQUEST FORM and turn it into the Town Clerk along with any related materials. This will be accepted until NOON WEDNESDAY one week prior to the Commission Meeting.

****ALL REQUESTS ARE SUBJECT TO REVIEW BY THE TOWN CLERK PRIOR TO PLACEMENT ON THE AGENDA******

NAME: Veronica Reardon

DATE REQUESTED: 2/17/24

DATE OF MEETING: 2/13/24

PLEASE BE SPECIFIC AS TO THE REQUEST TO BE CONSIDERED:

Budget Admendment for Water filters
Future Filters & Plant Repair

Veronica Reardon
SIGNATURE

-- RELATED MATERIALS PROVIDED TO TOWN CLERK

TOWN OF INGLIS COMMISSION MEETING AGENDA REQUEST FORM

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NAME: Veronica Reardon

DATE REQUESTED: 01/23/2024

DATE OF MEETING: 02/13/24

PLEASE BE SPECIFIC AS TO THE REQUEST TO BE CONSIDERED:

To Have the Town of Inglis's Attorney
present at all the Planning Meeting


SIGNATURE

-- RELATED MATERIALS PROVIDED TO TOWN CLERK

TOWN OF INGLIS COMMISSION MEETING AGENDA REQUEST FORM

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NAME: Veronica Beardan

DATE REQUESTED: 1/12/24

DATE OF MEETING: 2/13/24

PLEASE BE SPECIFIC AS TO THE REQUEST TO BE CONSIDERED:

Postpone the Selection of the Planning Commission Members to a later date

Veronica Beardan
SIGNATURE

-- RELATED MATERIALS PROVIDED TO TOWN CLERK

ARTICLE II. - PLANNING COMMISSION

Footnotes:

--- (2) ---

Cross reference— *Boards, commissions and committees, § 2-201 et seq.*

Sec. 50-31. - Established.

There is hereby established a planning commission, as provided by F.S. ch. 163.

(Code 1980, § 18.2-11)

Sec. 50-32. - Composition; terms of office; appointment.

- (a) The planning commission shall consist of seven voting members each serving two-year terms. The terms shall be staggered such that three members are appointed on odd years and four members appointed on even years.
- (b) When members seats are up for appointment, the town clerk shall advertise for the month of January seeking names of interested individuals to participate as members of the planning commission. All names of interested individuals shall be made available at a workshop in the month of February, where the town commission will conduct interviews of the interested individuals. The town commission shall select, and announce the new planning commission member at a special meeting immediately following the workshop. The new planning commission members shall be sworn in at this time. New members shall begin their term of service at the next regularly scheduled planning commission meeting.
- (c) In addition to the seven voting members, there shall be one nonvoting member, who shall be a representative of the school district appointed by the school board, and who shall have the powers and duties as provided by statute.

(Code 1980, § 18.2-12; Ord. No. 07-03, § 1(Att. A), 7-8-03)

Sec. 50-33. - Removal of member; filling of vacancy.

- (a) The town commission may remove any member for cause after written notice and public hearing.
- (b) Any vacancy of a planning commission seat, which has a remaining term of less than one year, shall be filled by action of the town commission within 60 days of the formal creation of a vacancy.
- (c)

Any vacancy of a planning commission seat, which has a remaining term of more than one year, shall be filled in the manner proscribed in section 50-32 for normal appointment, with the exception that the town clerk shall advertise for a minimum of two weeks following the occurrence of the vacancy, and the selection shall occur at the next scheduled town commission meeting after the advertising period has ended.

(d) The term of office for individuals filling a vacant seat shall be the remainder of the unexpired term for the seat which they filled.

(Code 1980, § 18.2-13; Ord. No. 07-03, § 1(Att. A), 7-8-03)

Sec. 50-34. - Election of chairman and vice chairman.

The planning commission members shall annually elect a chairman and a vice chairman from among its members. This election shall occur at the February meeting of the planning commission, and, if required, at the first meeting following the vacancy of either the chairman or vice chairman seat on the planning commission.

(Code 1980, § 18.2-14; Ord. No. 07-03, § 1(Att. A), 7-8-03)

Sec. 50-35. - Meetings; records.

The planning commission shall establish regular meetings, and shall keep a record of its meetings, including all resolutions, transactions, findings, and determinations. All meetings of the planning commission shall be public meetings, and all records of the planning commission shall be public records.

(Code 1980, § 18.2-15; Ord. No. 07-03, § 1(Att. A), 7-8-03)

Sec. 50-36. - Expenditure of town funds.

The planning commission shall not authorize or expend any town funds without the authorization of the town commission.

(Code 1980, § 18.2-16; Ord. No. 07-03, § 1(Att. A), 7-8-03)

Sec. 50-37. - Powers and duties.

The functions, powers and duties of the planning commission shall be as follows:

- (1) Acquire and maintain such information and materials as are necessary to an understanding of past trends, present conditions, and forces at work to cause changes in these conditions.
- (2) Prepare a comprehensive and coordinated general plan for meeting present and future requirements, and from time to time prepare proposed revisions as needed.
- (3) Establish principles and policies for guiding action in the development of the town.
- (4)

Conduct such public hearings as may be required to gather information necessary for the maintenance of the comprehensive plan and hold such public hearings as are required in F.S. ch. 163.


- (5) Make or cause to be made any necessary special studies as may be required by the responsibilities of this article, or as may be directed by the town commission.
- (6) Review the zoning and make recommendations as to any zoning amendment to the town commission.
- (7) Undertake any other tasks as may be assigned by the town commission.
- (8) Review any application for a building permit as to zoning compliance when requested to do so by the zoning enforcement officer.

(Code 1980, § 18.2-17; Ord. No. 07-03, § 1(Att. A), 7-8-03)

Sec. 50-38. - Advisory role; recommendations.

The town planning commission is hereby designated the local planning agency pursuant to F.S. § 163.3174(1). The powers and the duties of the planning commission in its planning role pursuant to part II of F.S. ch. 163 are advisory only, and shall be exercised in accordance with part II of F.S. ch. 163.

(Code 1980, § 18.2-18; Ord. No. 11-99, § 1, 11-30-99)

RECEIVED
JAN 20 2024
BY: 

TOWN OF INGLIS COMMISSION MEETING AGENDA REQUEST FORM

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NAME: HARRY BRODHEAD

DATE REQUESTED: 1/29/24

DATE OF MEETING: 2/13/24

PLEASE BE SPECIFIC AS TO THE REQUEST TO BE CONSIDERED:

REQUEST A PUBLIC DISCUSSION OF NUISANCE
AREA TO THE EAST SIDE OF CIRCLE K AND PIZZA
SHOP, PICNIC TABLES ARE MAGNETS TO TRANSIENT
AND HOMELESS ~~POPULATION~~ POPULATIONS. MANY RESIDENTS
ARE VERY HESITANT TO STOP THERE - CONCERNED
ABOUT THEIR PERSONAL SAFETY, "NO LOITERING"?


SIGNATURE

RELATED MATERIALS PROVIDED TO TOWN CLERK

RECEIVED
JAN 29 2024

TOWN OF INGLIS COMMISSION MEETING BY: CA
AGENDA REQUEST FORM

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NAME: HARRY BRODHEAD

DATE REQUESTED: 1/29/24

DATE OF MEETING: 2/13/24

PLEASE BE SPECIFIC AS TO THE REQUEST TO BE CONSIDERED:

REQUEST A PUBLIC REVIEW OF THE ORDINANCE
SEC. 06-3 RE: GOLF CARTS OPERATIONS IN
TOWN, I CURRENTLY PROHIBITED, I WOULD LIKE TO ALLOW GOLF CARTS USAGE
IN TOWN. DISCUSS THIS AND POSSIBLE EXCEPTIONS
IE - HIGHWAY^{USE}, SPEED, AGE, YIELDING, ETC.
/of OPER.


SIGNATURE

-- RELATED MATERIALS PROVIDED TO TOWN CLERK

Sec. 66-3. - All terrain vehicles prohibited on unpaved roads and streets.

- (a) Terms used herein without definition, including the term "ATV" shall have the meanings ascribed to them in F.S. ch. 316 or 317, as appropriate.
- (b) The provisions of F.S. § 316.2123(1), which allows operation of an ATV on unpaved public roads or streets under certain circumstances, shall not apply in the Town of Inglis. Accordingly, the operation of an ATV on any public road or street in the Town of Inglis shall not be permitted except in the limited circumstances as provided in F.S. § 316.2074.

(Ord. No. 06-06, § 2, 12-12-06)

please run 1 time on Dec 1st, 2006. Please confirm.

Public Notice

The Town Commission at
Their Regular Meeting to be
held on Tuesday December 12th, 2006
at 7:00 p.m. at the Inglis Town
Commission Room will consider the following
Ordinance on second reading:

ORDINANCE 06-06

**AN ORDINANCE OF THE TOWN OF INGLIS, FLORIDA, PROVIDING THAT
THE TOWN OF INGLIS CODE, CHAPTER 66 (TRAFFIC AND VEHICLES), BE
AMENDED TO PROHIBIT THE OPERATION OF ALL TERRAIN VEHICLES
ON UNPAVED ROADS AND STREETS; PROVIDING FOR SEVERABILITY,
PROVIDING A REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE
DATE.**

This Ordinance is on file at the
Inglis Town Hall, 135 Hwy. 40
West, Inglis, Florida and may be
reviewed during regular hours.

Any person who decides to
Appeal any decision made by the
Town Commission at this meeting
must ensure that a verbatim
Record of the proceedings is made.

Published one (1) time in the
Citrus County Chronicle on
Friday Dec 1st, 2006

ORDINANCE 06-06

AN ORDINANCE OF THE TOWN OF INGLIS, FLORIDA, PROVIDING THAT THE TOWN OF INGLIS CODE, CHAPTER 66 (TRAFFIC AND VEHICLES), BE AMENDED TO PROHIBIT THE OPERATION OF ALL TERRAIN VEHICLES ON UNPAVED ROADS AND STREETS; PROVIDING FOR SEVERABILITY, PROVIDING A REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on October 1, 2006, §316.2123(1), Florida Statutes, took effect, permitting the operation of all-terrain vehicles, (ATVs), as defined in § 317.003, Florida Statutes, upon unpaved roadways where the posted speed limit is less than thirty-five miles per hour by a licensed driver or by a minor under the supervision of a licensed driver; and

WHEREAS, §316.006, Florida Statutes provides that a chartered municipality shall have original jurisdiction over all streets and highways located within their boundaries, except state roads; and

WHEREAS, the Town Commission finds that it would be in the best interest of the health, safety and welfare of the Town of Inglis citizens, residents and visitors, to exempt the Town from the provisions of § 316.2123(1), Florida Statutes, which would otherwise allow the operation of ATVs on certain roadways under certain conditions within the Town; and

WHEREAS, it is the intent of the Town to exercise its authority under §316.006 and §316.008, Florida Statutes, and exempt the Town from §316.2123(1), Florida Statutes;

NOW, THEREFORE, BE IT ORDAINED by the Town Commission of the Town of Inglis, Florida, that:

Section 1. Recitals. The foregoing recitals are true and correct and are incorporated herein.

Section 2. ATVs Prohibited. A new section is added to Chapter 66 of the Town's Code of Ordinances, as follows:

ATVs prohibited on unpaved roads and streets.

(a) Terms used herein without definition, including the term "ATV" shall have the meanings ascribed to them in Chapter 316 or 317 of the Florida Statutes, as appropriate.

(b) The provisions of §316.2123(1), Florida Statutes, which allows operation of an ATV on unpaved public roads or streets under certain circumstances, shall not apply in the Town of Inglis. Accordingly, the operation of an ATV on any public road or street in the Town of Inglis shall not be permitted except in the limited circumstances as provided in §316.2074, Florida Statutes.

Section 3. Severability. It is declared to be the intent of the Town of Inglis, Florida, that if any section, subsection, sentence, clause, phrase, portion or provision of this Ordinance is for any reason declared or held invalid or unconstitutional by any court or competent jurisdiction, the remainder of this Ordinance shall be construed as not having contained said section, subsection, sentence, clause, phrase, portion or provision and shall be not affected by such declaration of holding.

Section 4. Repealing Clause. All ordinances or parts of ordinances and all resolutions or parts of resolutions of the Town of Inglis in conflict herewith are hereby repealed to the extent of such conflict.

Section 5. Effective Date. This Ordinance shall become effective immediately upon adoption.

ACCEPTED on First Reading the 14th day of November 2006.

DONE AND ADOPTED on Second and Final Reading this 12th day of December 2006.

ATTEST:

Sally McCranie
Sally McCranie, Town Clerk

TOWN OF INGLIS, FLORIDA

by: Carolyn Risher
Carolyn Risher, Mayor

The 2023 Florida Statutes (including Special Session C)

[Title XXIII](#)
MOTOR VEHICLES

[Chapter 316](#)
STATE UNIFORM TRAFFIC CONTROL

[View Entire Chapter](#)

316.212 Operation of golf carts on certain roadways.—The operation of a golf cart upon the public roads or streets of this state is prohibited except as provided herein:

(1) A golf cart may be operated only upon a county road that has been designated by a county, a municipal street that has been designated by a municipality, a two-lane county road located within the jurisdiction of a municipality designated by that municipality, or a road that is owned and maintained by a water control district and has been designated by that water control district, for use by golf carts. Before making such a designation, the responsible local governmental entity must first determine that golf carts may safely travel on or cross the public road or street, considering factors including the speed, volume, and character of motor vehicle traffic using the road or street, and if such designation is to be made by a water control district, the district must also receive approval from the county in which the road to be designated is located. Upon a determination that golf carts may be safely operated on a designated road or street, the responsible governmental entity shall post appropriate signs to indicate that such operation is allowed.

(2) A golf cart may be operated on a part of the State Highway System only under the following conditions:

(a) To cross a portion of the State Highway System which intersects a county road or municipal street that has been designated for use by golf carts if the Department of Transportation has reviewed and approved the location and design of the crossing and any traffic control devices needed for safety purposes.

(b) To cross, at midblock, a part of the State Highway System where a golf course is constructed on both sides of the highway if the Department of Transportation has reviewed and approved the location and design of the crossing and any traffic control devices needed for safety purposes.

(c) A golf cart may be operated on a state road that has been designated for transfer to a local government unit pursuant to s. [335.0415](#) if the Department of Transportation determines that the operation of a golf cart within the right-of-way of the road will not impede the safe and efficient flow of motor vehicular traffic. The department may authorize the operation of golf carts on such a road if:

1. The road is the only available public road along which golf carts may travel or cross or the road provides the safest travel route among alternative routes available; and

2. The speed, volume, and character of motor vehicular traffic using the road is considered in making such a determination.

Upon its determination that golf carts may be operated on a given road, the department shall post appropriate signs on the road to indicate that such operation is allowed.

(3) Notwithstanding any other provision of this section, a golf cart may be operated for the purpose of crossing a street or highway where a single mobile home park is located on both sides of the street or highway and is divided by that street or highway, provided that the governmental entity having original jurisdiction over such street or highway shall review and approve the location of the crossing and require implementation of any traffic controls needed for safety purposes. This subsection shall apply only to residents or guests of the mobile home park. If notice is posted at the entrance and exit of any mobile home park where residents of the park operate golf carts or electric vehicles within the confines of the park, it is not necessary for the park to have a gate or other device at the entrance and exit in order for such golf carts or electric vehicles to be lawfully operated in the park.

(4) Notwithstanding any other provision of this section, if authorized by the Division of Recreation and Parks of the Department of Environmental Protection, a golf cart may be operated on a road that is part of the State Park Road System if the posted speed limit is 35 miles per hour or less.

(5) A golf cart may be operated only during the hours between sunrise and sunset, unless the responsible governmental entity has determined that a golf cart may be operated during the hours between sunset and sunrise and the golf cart is equipped with headlights, brake lights, turn signals, and a windshield.

(6) A golf cart must be equipped with efficient brakes, reliable steering apparatus, safe tires, a rearview mirror, and red reflectorized warning devices in both the front and rear.

(7) A golf cart may not be operated on public roads or streets by a person:

(a) Who is under 18 years of age unless he or she possesses a valid learner's driver license or valid driver license.

(b) Who is 18 years of age or older unless he or she possesses a valid form of government-issued photographic identification.

(8) A local governmental entity may enact an ordinance relating to:

(a) Golf cart operation and equipment which is more restrictive than those enumerated in this section. Upon enactment of such ordinance, the local governmental entity shall post appropriate signs or otherwise inform the residents that such an ordinance exists and that it will be enforced within the local government's jurisdictional territory. An ordinance referred to in this section must apply only to an unlicensed driver.

(b) Golf cart operation on sidewalks adjacent to specific segments of municipal streets, county roads, or state highways within the jurisdictional territory of the local governmental entity if:

1. The local governmental entity determines, after considering the condition and current use of the sidewalks, the character of the surrounding community, and the locations of authorized golf cart crossings, that golf carts, bicycles, and pedestrians may safely share the sidewalk;

2. The local governmental entity consults with the Department of Transportation before adopting the ordinance;

3. The ordinance restricts golf carts to a maximum speed of 15 miles per hour and permits such use on sidewalks adjacent to state highways only if the sidewalks are at least 8 feet wide;

4. The ordinance requires the golf carts to meet the equipment requirements in subsection (6). However, the ordinance may require additional equipment, including horns or other warning devices required by s. [316.271](#); and

5. The local governmental entity posts appropriate signs or otherwise informs residents that the ordinance exists and applies to such sidewalks.

(9) A violation of this section is a noncriminal traffic infraction, punishable pursuant to chapter 318 as a moving violation for infractions of subsections (1)-(5) or a local ordinance corresponding thereto and enacted pursuant to subsection (8), or punishable pursuant to chapter 318 as a nonmoving violation for infractions of subsection (6), subsection (7), or a local ordinance corresponding thereto and enacted pursuant to subsection (8).

History.—s. 2, ch. 83-188; s. 1, ch. 84-111; s. 2, ch. 88-253; s. 322, ch. 95-148; s. 4, ch. 96-413; s. 168, ch. 99-248; s. 7, ch. 2000-313; s. 6, ch. 2005-164; s. 3, ch. 2008-98; s. 46, ch. 2010-223; s. 2, ch. 2015-163; s. 1, ch. 2023-67.

Sec. 34-358. - Wall and fence regulations.

General requirements for fences. Fences may be installed in all front, side, and rear yard setbacks. Fences within the required front yard cannot exceed four feet in height and must be ten feet from edge of the road or edge of right of way whichever is greater. Side and rear yard fences cannot exceed six feet in height. If a fence or wall is needed for safety, security, and/or protection of a hazard, it may be approved by the planning commission upon receipt of satisfactory evidence of the need to exceed the height requirements.

(1)

Fence heights are measured from the lowest point of average grade contiguous to the fence to the average top elevation of the fence. If the fence is installed on a berm the berm is included in the overall height.

(2)

Any fence located adjacent to a public right-of-way or private road shall be placed with the finished side facing the right-of-way. Additionally, any fence located within ten feet of a side and/or rear lot line in residential districts shall be placed with the finished side facing the adjoining properties. No fence placed along the water side of any property shall exceed four feet in height, nor shall it block a neighbors view. Materials shall be subject to approval by the zoning officer.

(3)

Fences located within the clear visibility triangle or on a corner lot and/or located within a driveway visibility triangle shall not exceed three feet in height, as not to obstruct the view of motorists checking the intersecting street for traffic. A chain link fence (with out decorative slatting), or any other type fence that does not exceed 20 percent opacity, would be exempt from the three feet height requirement when located within the visibility triangle. Subject to approval by the zoning officer.

Sec. 34-247. - Area, yard, height and size requirements.

The area, yard, height and size requirements shall be as follows:

District	Primary Use	Minimum Lot Area	Minimum Property Frontage (Feet)	Minimum Front Yard ⁷ (Feet)	Minimum Side Yard ⁹ (Feet)	Minimum Rear Yard ^{7,8} (Feet)	Maximum Height (Feet)	Minimum Building Size (Square Feet) ³	Maximum Net Density ¹
RC-1	Single-family passive recreation	Five acres	325	30	15	30	45	900	One unit/five acres
R-1	Single-family	One acre	150	30	15	30	45	900	One unit/acre
R-1-A	Single-family	One acre	150	30	15	30	45	900	One unit/acre
R-2	Single-family	One acre	150	30	15 ²	30	45	600	Five units/acre
	Two-family	One acre	150	30	15	30	45	600	Five units/acre
	Multifamily	One acre	150	30	15	30	45	600	Five units/acre
MHP-1	Mobile home park	Five acres	325	30	15	30	45	600	Five units/acre
C-1	Neighborhood commercial	One-half acre	125	30 arterial roads	15 ⁹	None ^{4,9}	None ⁵	None	0.23 F.A.R. 0.25 I.S.R.
C-1-A	Neighborhood commercial	One-half acre	125	30 ⁴ arterial roads	15 ⁹	None ^{4,9}	45	None	0.60 F.A.R. 0.70 I.S.R.
C-2	Commercial	One-half acre	125	30 arterial roads	15 ⁹	None ⁴	None	None	0.23 F.A.R. 0.25 I.S.R.
C-2-A	Commercial	One-half acre	125	30 ⁴ arterial roads	15 ⁹	None ⁴	45	None	0.60 F.A.R. 0.70 I.S.R.
I	Industrial	One acre	125	None ⁴	15	None ⁴	None ⁵	None	0.23 F.A.R.
I-2	Planned industrial	Ind. park- 3 acres Single lot- 1 acre	125	30 ⁴	15 ¹⁰	None ⁴	45	None	0.60 F.A.R. 0.70 I.S.R.
U	Utility	One acre	125	None ⁴	15	None ⁴	None ⁵	None	0.23 F.A.R.

T	Timber	20 acres	500	None ⁴	15	None ⁴	None ⁵	None	0.23 F.A.R.
P	Parks	One acre	150	None ⁴	None	None ⁴	None ⁵	None	0.23 F.A.R.
P1	Public buildings and grounds, education, other public [institutional]	One acre	150	None ⁴	15	None ⁴	None ⁵	None	None

Notes on Section 34-247, Area, Yard, Height and Size Requirements

¹ Expressed as units per acre, impervious surface ratio (I.S.R.) or floor area ratio (F.A.R.).

² Minimum side yard shall be 30 feet where a single side yard is used for zero lot line development.

³ Minimum living area per residential dwelling unit.

⁴ All requirements relative to minimum front, side, and rear yards shall be the same as required in the residential district to which the front, side, and rear property in a C-1, C-1-A, C-2, C-2-A, T, U, P1, I-2, or I district adjoins or lies directly across a street or alley from; no front, side or rear yards shall be required on a side of such property adjacent to a nonresidential district. (See subsection 34-354(4))

⁵ All buildings in excess of 45 feet shall receive the written approval of the chief of the town fire department. Within 150 feet of any residential district no building shall exceed the maximum height requirements of that residential district.

⁶ Any lot of record existing at the time of the adoption of the ordinance from which this chapter is derived shall be deemed to be of sufficient size to remain as a building lot, regardless of whether one owner owns adjoining lots or not.

⁷ On pre-existing nonconforming lots of record, the minimum side yard setback shall be ten percent of the width of the actual width of the lot, provided that the minimum yard setback shall be seven feet, provided that, on lots with nonparallel sides that fall in this category, the setback shall be determined based upon the average width of the lot in the area of the proposed construction.

⁸ The minimum setback for permissible accessory buildings in rear and side yards shall be no less than ten feet.

⁹ Yard dimensions shall be maintained for movable items for sale, rent or lease in commercial districts (e.g., auto, recreational vehicle, and manufactured housing sales).

¹⁰ For new homes being built outside "A" flood zones, as mapped on the FEMA flood insurance rate maps, finished floor elevations will be required to be at least 12 inches above the elevation of the crown of the adjacent roadway at the time of permitting. Properties within the "A" flood zones, as mapped will continue to be permitted under the provisions of article VII, flood damage prevention.

¹¹ Minimum side yard setback distances from the interior lot lines within planned industrial subdivisions (industrial parks) shall be established on the approved conceptual site plan.

(Ord. No. 5-92, § 3.30, 8-25-92; Ord. No. 5-94, 3-29-94; Ord. No. 4-95, 8-8-95; Ord. No. 04-00, § 2, 1-25-00; Ord. No. 04-05, § 1(Att. A), 4-12-05; Ord. No. 02-10, § 1(Att. A), 3-11-10)

Sec. 34-235.

One accessory building, not to exceed 200 square feet in area, shall be permitted only in a rear or side yard and shall be not less than ten feet from the property line, provided that such accessory buildings shall be defined as detached utility or storage sheds, and shall specifically not include detached garages, workshops, pole barns, pump houses, carports, screen rooms, open gazebos or boathouses.

EXHIBIT A: SCHEDULE OF FEES, RATES AND CHARGES

• SCHEDULE OF FEES, RATES AND CHARGES DEVELOPMENT DEPARTMENT

Note regarding refunds: Once an application is filed with the Town and the associated fees, rates or charges are paid to the Town, no refunds will be issued to the applicant, unless a refund is specifically provided for in this Appendix or unless the permit was issued in error by the Town.

Note regarding additional costs: The permit fees do not include additional costs to be paid by applicant for the services of engineers, legal counsel or other professional consultants that are retained by the Town in connection with review of any application or permit.

Note 1-For the purpose of determining fees floor area shall be the gross overall outside area of a building at each story, including all portions under roofs.

Note 2-The building permit fee for a new building or addition includes flat work, such as stoops, sidewalks, patios, garage aprons or other walking surfaces incidental to the building, provided that no foundations are incorporated in the flat work.

Note 3--A separate building permit is required for each building, structure, or improvement of existing buildings even when located on the same lot, tract, or parcel.

Note 4-Where a fee is based on value of the improvement and the valuation is not provided by the applicant, valuation will be determined by the Town Development Department based on valuation data published by Southern Building Code Congress International or International Code Council multiplied by the appropriate regional modifier. When the applicant provides the valuation, the Town Development Department reserves the right to review and require documentation to support the valuation as reasonable and appropriate.

Note 5-Separate permit fees are required for electrical, plumbing mechanical fuel gas or other permits shown elsewhere in this schedule, unless otherwise indicated.

1. <u>Minimum fee for any building permit</u>	<u>\$125.00</u>
2. Fee for inspection/reinspection trips Note: The number of inspection <i>trips</i> required for each project will be determined by the plan's examiner. Inspection trip fees are in addition to the permit fee, unless otherwise stated in the specific permit section.	\$ <u>125.00</u> per trip for initial inspection, 1 st reinspection or 2 nd reinspection \$120.00 per trip for 3 rd or subsequent reinspection
3. Manufactured (Mobile) move-on permits-Residential and commercial	\$720.00, includes plans review, 2 inspections and all subcontractor fees
4. Used manufactured (Mobile) pre-inspections	\$125.00 in Town \$150.00 out of Town
5. <u>New construction, renovation, addition, or remodel of building-Residential</u>	
First <u>\$1,000 of value</u> of improvement	;\$125.00
Each additional \$1,000 of value, up to \$100,000	:\$8.00
<u>Each additional</u> \$1,000 of value, up to \$400,000	!\$7.00

**• SCHEDULE OF FEES, RATES AND CHARGES
DEVELOPMENT DEPARTMENT**

Each additional \$1,000 of value that exceeds \$400,000	\$5.00
6. New construction, renovation, addition, or remodel of building-Commercial Note: Fire review/inspections are additional	
First \$1,000 of value of improvement	\$250.00
Each additional \$1,000 of value, up to \$100,000	\$8.00
Each additional \$1,000 of value, up to \$400,000	-\$7.00
Each additional \$1,000 of value that exceeds \$400,000	\$5.00
7. New construction, renovation, addition, or remodel of structures other than buildings	
First \$1,000 of value of improvement	\$250.00
Each additional \$1,000 of value, up to \$100,000	\$8.00
Each additional \$1,000 of value, up to \$400,000	\$7.00
Each additional \$1,000 of value that exceeds \$400,000	\$5.00
8. Re-roofing and roof-over permits Note: For structural re-roofs, the fee schedule in 5 (for residential) or 6 (for commercial) above shall apply.	\$225.00 for residential, includes 2 inspections \$300.00 for commercial, includes 2 inspections
9. Dock and sea wall permits Note: Separate permits are required for any dock that has separate electrical service and/or electrical wiring.	\$225.00 for residential, includes 2 inspections See fee schedule in 7 above for commercial, includes 2 inspections \$125.00; plus \$8.00 per
10. Screened enclosures, carports, gazebos, and DBPR shed permits Note: Also requires building plans review fee in 22 below.	each 100 square feet and plus \$.01 per square foot for state surcharge
11. Swimming pool permit Note: Pool permit includes pool construction, child resistant barrier and water circulation equipment only. Separate permits are required for electrical wiring, electrical upgrade of service, separate electrical services, pool water heaters, gas piping to water heaters, screen enclosures and other amenities or trades.	\$400.00 for residential, includes plans review and 2 inspections \$900.00 for commercial, includes plans review, fire inspection and review and 2 inspections
12. Public amusement device permit Note: this includes, but is not limited to, mechanical ride, slide, sailing, swinging; but not applicable to temporary/mobile carnivals, circuses, or amusements;	\$125.00

**• SCHEDULE OF FEES, RATES AND CHARGES
DEVELOPMENT DEPARTMENT**

13. Demolition of building permit	\$125.00, includes 2 inspections
14. Minor excavation or fill permit	\$125.00
15. Sign permit Note: Separate permits required for electrical permit for lighting and for zoning review.	\$250.00, includes plans review
16. Plumbing permit	\$125.00 for residential, includes 1 inspection \$250.00 for commercial, includes 1 inspection
17. Electrical permit	\$125.00 for residential, includes 1 inspection \$250.00 for commercial, includes 1 inspection
18. Heat, vent, air conditioning and refrigeration permit Note: Window units (25,000 BTUs or less) do not require a permit	\$125.00 for residential, includes 1 inspection \$250.00 for commercial, includes <u>1 inspection</u>
19. Fuel gas permit	\$125.00 for residential, includes 1 inspection \$250.00 for commercial, <u>includes 1 inspection</u>
20. Bulle fuel tank installation or replacement permit Note: Separate permits are required for electrical and/or mechanical systems or devices.	\$125.00 for propane, includes 1 inspection \$250.00 for all other fuel types, includes 1 inspection
21. Mechanical/gas permit	\$125.00 for residential, includes 1 inspection \$250.00 for commercial, includes 1 inspection
22. Building plans review Note: The minimum building plans review fee is \$12500	:20% of building permit fee for residential :30% of building permit fee for commercial
23. Floodplain Management Services	
a) Minimum Floodplain Review	\$85.00
b) Substantial Improvements- Review	\$200.00
c) New Residential and Commercial Review	\$300.00

**• SCHEDULE OF FEES, RATES AND CHARGES
DEVELOPMENT DEPARTMENT**

24. Renewal/transfer of building permit

a) Building permits that have expired because construction was not commenced within six months of issuance, or because more than six months have elapsed since passing a required inspection, may be renewed for 50% of the original building permit fees (excluding ~~impact fees~~ and service fees such as zoning review, site plan approval, flood hazard determination and plans review); but only if the request for renewal is submitted within six months of the date the building permit expired.

b) Building permits that have expired because construction was not commenced within 12 months of issuance, or because construction has ceased for more than 12 months, or because more than 12 months have elapsed since passing a required inspection, may be renewed for 100% of the original building permit fees (excluding ~~impact fees~~, service fees such as zoning review, site plan approval, flood hazard determination and plans review fees); but only if the request for renewal is submitted within 24 months of the date the building permit expired.

c) Building permits that have expired because construction was not commenced within 24 months, or because construction has ceased for more than 24 months, or because more than 24 months have elapsed since passing a required inspection, are null and void and may not be renewed. Any subsequent application will be treated as a new application and all fees (~~other than impact fees~~) must be paid. ~~Whenever construction has ceased for 5 years or more, impact fees must be paid.~~

d) Upon written notarized authorization by the permit holder, a valid or otherwise active building permit may be transferred to another applicant with the payment of an administration fee of 25% of the original building permit fees paid (~~impact fees~~ and service fees such as zoning review, site plan approval, flood hazard determination and plans review.) In no case shall the administration fee to transfer a valid or otherwise active building permit be less than \$30.00.

Select Year: 2023

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BUILDING CONSTRUCTION
STANDARDS

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PART I

MANUFACTURED BUILDINGS

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[553.37](#) Rules; inspections; and insignia.

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Chapter 553

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553.35 **Short title.**—This part shall be known and may be cited as the “Florida Manufactured Building Act of 1979.”

History.—s. 1, ch. 71-172; s. 1, ch. 74-208; s. 3, ch. 76-168; s. 1, ch. 77-457; ss. 1, 6, ch. 79-152; ss. 2, 3, ch. 81-318; ss. 3, 4, ch. 84-32; s. 4, ch. 91-429.

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REGULATION OF TRADE, COMMERCE, INVESTMENTS,
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BUILDING CONSTRUCTION
STANDARDS

553.355 **Minimum construction requirements established.**—The Florida Building Code and the Florida Fire Prevention and Lifesafety Codes shall be the minimum construction requirements governing the manufacture, design, construction, erection, alteration, modification, repair, and demolition of manufactured buildings.

History.—s. 54, ch. 2000-141; s. 34, ch. 2001-186; s. 3, ch. 2001-372.

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REGULATION OF TRADE, COMMERCE, INVESTMENTS, BUILDING CONSTRUCTION AND SOLICITATIONS STANDARDS

553.36 Definitions.—The definitions contained in this section govern the construction of this part unless the context otherwise requires.

- (1) “Approved” means conforming to the requirements of the Florida Building Code.
- (2) “Approved inspection agency” means an organization determined by the department to be especially qualified by reason of facilities, personnel, experience, and demonstrated reliability to investigate, test, and evaluate manufactured building units or systems or the component parts thereof, together with the plans, specifications, and quality control procedures to ensure that such units, systems, or component parts are in full compliance with the Florida Building Code and to label such units complying with those standards.
- (3) “Closed construction” means that condition when any building, component, assembly, subassembly, or system is manufactured in such a manner that all portions cannot be readily inspected at the installation site without disassembly or destruction thereof.
- (4) “Open construction” means any building, building component, assembly, or system manufactured in such a manner that all portions can be readily inspected at the building site without disassembly thereof, damage thereto, or destruction thereof.
- (5) “Columbarium” means a permanent structure consisting of niches.
- (6) “Component” means any assembly, subassembly, or combination of parts for use as a part of a building, which may include structural, electrical, mechanical, and fire protection systems and other systems affecting health and safety. Components that incorporate elements of a building subject to the product approval system adopted under s. [553.842](#) are subject to approval in accordance with the product approval system upon implementation thereof and are not subject to the rules adopted under this part. Components to which the rules adopted under this part apply are limited to three-dimensional systems for use as part of a building.
- (7) “Department” means the Department of Business and Professional Regulation.
- (8) “Factory-built school shelter” means any site-assembled or factory-built school building that is designed to be portable, relocatable, demountable, or reconstructible and that complies with the provisions for enhanced hurricane protection areas, as required by the applicable code.
- (9) “Insignia” means an approved device or seal issued by the department to indicate compliance with the standards and rules established pursuant to this part.
- (10) “Install” means the assembly of a manufactured building component or system on site and the process of affixing a manufactured building component or system to land, a foundation, or an existing building, and service connections which are a part thereof.
- (11) “Local government” means any municipality, county, district, or combination thereof comprising a governmental unit.
- (12) “Manufacture” means the process of making, fabricating, constructing, forming, or assembling a product from raw, unfinished, semifinished, or finished materials.
- (13) “Manufactured building”, “modular building,” or “factory-built building” means a closed structure, building assembly, or system of subassemblies, which may include structural, electrical, plumbing, heating, ventilating, or other service systems manufactured in manufacturing facilities for installation or erection as a

finished building or as part of a finished building, which shall include, but not be limited to, residential, commercial, institutional, storage, and industrial structures. The term includes buildings not intended for human habitation such as lawn storage buildings and storage sheds manufactured and assembled offsite by a manufacturer certified in conformance with this part. This part does not apply to mobile homes.

(14) “Mobile home” means any residential unit constructed to standards promulgated by the United States Department of Housing and Urban Development.

(15) “Module” means a separately transported three-dimensional component of a manufactured building which contains all or a portion of structural systems, electrical systems, plumbing systems, mechanical systems, fire systems, and thermal systems.

(16) “Private mausoleum” means a structure intended for the private use of a family or group of family members.

(17) “Site” is the location on which a manufactured building is installed or is to be installed.

(18) “System” means structural, plumbing, mechanical, heating, electrical, or ventilating elements, materials, or components combined for use in a building.

History.—s. 2, ch. 71-172; s. 1, ch. 74-208; s. 3, ch. 76-168; s. 1, ch. 77-457; ss. 1, 6, ch. 79-152; s. 76, ch. 81-167; ss. 2, 3, ch. 81-318; s. 79, ch. 83-55; ss. 3, 4, ch. 84-32; s. 4, ch. 91-429; ss. 55, 56, ch. 2000-141; ss. 21, 34, ch. 2001-186; s. 3, ch. 2001-372; s. 12, ch. 2007-55; s. 5, ch. 2008-191; s. 410, ch. 2011-142.

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553.37 Rules; inspections; and insignia. –

(1) The Florida Building Commission shall adopt within the Florida Building Code requirements for construction or modification of manufactured buildings and building modules, to address:

(a) Submittal to and approval by the department of manufacturers' drawings and specifications, including any amendments.

(b) Submittal to and approval by the department of manufacturers' internal quality control procedures and manuals, including any amendments.

(c) Inspection criteria, which shall require the approved inspection agency to:

1. Observe the first building built, or with regard to components, observe the first unit assembled, after certification of the manufacturer, from start to finish, inspecting all subsystems: electrical, plumbing, structural, mechanical, or thermal.

2. Continue observation of the manufacturing process until the approved inspection agency determines that the manufacturer's quality control program, in conjunction with the application of the plans approved by the approved inspection agency, will result in a building and components that meet or exceed the applicable Florida Building Code requirements.

3. Thereafter, inspect each module produced during at least one point of the manufacturing process and inspect at least 75 percent of the subsystems of each module: electrical, plumbing, structural, mechanical, or thermal.

4. With respect to components, inspect at least 75 percent of the manufactured building components and at least 20 percent of the storage sheds that are not designed for human habitation and that have a floor area of 720 square feet or less.

(2) The department shall adopt rules to address:

(a) Procedures and qualifications for approval of third-party plan review and inspection agencies and of those who perform inspections and plan reviews.

(b) Investigation of consumer complaints of noncompliance of manufactured buildings with the Florida Building Code and the Florida Fire Prevention Code.

(c) Issuance, cancellation, and revocation of any insignia issued by the department and procedures for auditing and accounting for disposition of them.

(d) Monitoring the manufacturers', inspection agencies', and plan review agencies' compliance with this part and the Florida Building Code. Monitoring may include, but is not limited to, performing audits of plans, inspections of manufacturing facilities and observation of the manufacturing and inspection process, and onsite inspections of buildings.

(e) The performance by the department and its designees and contractors of any other functions required by this part.

(3) After the effective date of the Florida Building Code, no manufactured building, except as provided in subsection (12), may be installed in this state unless it is approved and bears the insignia of approval of the

department and a manufacturer's data plate. Approvals issued by the department under the provisions of the prior part shall be deemed to comply with the requirements of this part.

(4) All manufactured buildings issued and bearing insignia of approval pursuant to subsection (3) shall be deemed to comply with the Florida Building Code and are exempt from local amendments enacted by any local government.

(5) No manufactured building bearing department insignia of approval pursuant to subsection (3) shall be in any way modified prior to installation, except in conformance with the Florida Building Code.

(6) Manufactured buildings which have been issued and bear the insignia of approval pursuant to this part upon manufacture or first sale shall not require an additional approval or insignia by a local government in which they are subsequently sold or installed. Buildings or structures that meet the definition of "open construction" are subject to permitting by the local jurisdiction and are not required to bear insignia.

(7) If the department determines that the standards for construction and inspection of manufactured buildings prescribed by statute or rule of another state are at least equal to the Florida Building Code and that such standards are actually enforced by such other state, it may provide by rule that the manufactured building which has been inspected and approved by such other state shall be deemed to have been approved by the department and shall authorize the affixing of the appropriate insignia of approval.

(8) The department, by rule, shall establish a schedule of fees to pay the cost of the administration and enforcement of this part. The rule may provide for manufacturers to pay fees to the administrator directly via the Building Code Information System.

(9) The department may delegate its enforcement authority to a state department having building construction responsibilities or a local government and may enter into contracts for the performance of its administrative duties under this part. The department may delegate its plan review and inspection authority to one or more of the following in any combination:

- (a) A state department having building construction responsibilities;
- (b) A local government;
- (c) An approved inspection agency;
- (d) An approved plan review agency; or
- (e) An agency of another state.

(10) The department shall develop an insignia to be affixed to all newly constructed buildings by the manufacturer or the inspection agency prior to the building leaving the plant. The department may charge a fee for issuing such insignias. Such insignias shall bear the department's name, the state seal, an identification number unique to that insignia, and such other information as the department may require by rule.

(11) The department shall by rule develop minimum criteria for manufacturer's data that must be affixed to all newly constructed buildings by the manufacturer prior to the building leaving the plant.

(12) Custom or one-of-a-kind prototype manufactured buildings are not required to have state approval, but must be in compliance with all local requirements of the governmental agency having jurisdiction at the installation site.

History.—s. 3, ch. 71-172; s. 1, ch. 74-208; s. 3, ch. 76-168; s. 1, ch. 77-457; ss. 1, 6, ch. 79-152; ss. 1, 4, ch. 80-86; ss. 2, 3, ch. 81-318; ss. 1, 3, 4, ch. 84-32; s. 4, ch. 91-429; s. 1, ch. 98-145; ss. 57, 58, ch. 2000-141; s. 34, ch. 2001-186; s. 3, ch. 2001-372; s. 6, ch. 2008-191; s. 28, ch. 2010-176; s. 16, ch. 2014-154.

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553.375 Recertification of manufactured buildings.—Prior to the relocation to a site that has a higher design wind speed, modification, or change of occupancy of a manufactured building within the state, the manufacturer, dealer, or owner thereof may apply to the department for recertification of that manufactured building. The department shall, by rule, provide what information the applicant must submit for recertification and for plan review and inspection of such manufactured buildings and shall establish fees for recertification. Upon a determination by the department that the manufactured building complies with the applicable building codes, the department shall issue a recertification insignia. A manufactured building that bears recertification insignia does not require any additional approval by an enforcement jurisdiction in which the building is sold or installed, and is considered to comply with all applicable codes. As an alternative to recertification by the department, the manufacturer, dealer, or owner of a manufactured building may seek appropriate permitting and a certificate of occupancy from the local jurisdiction in accordance with procedures generally applicable under the Florida Building Code.

History.—s. 59, ch. 2000-141; s. 34, ch. 2001-186; s. 3, ch. 2001-372; s. 29, ch. 2010-176.

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553.38 Application and scope.— The department shall enforce every provision of the Florida Building Code adopted pursuant hereto, except that local land use and zoning requirements, fire zones, building setback requirements, side and rear yard requirements, site development requirements, property line requirements, subdivision control, and onsite installation requirements, as well as the review and regulation of architectural and aesthetic requirements, are specifically and entirely reserved to local authorities. Such local requirements and rules which may be enacted by local authorities must be reasonable and uniformly applied and enforced without any distinction as to whether a building is a conventionally constructed or manufactured building. A local government shall require permit fees only for those inspections actually performed by the local government for the installation of a factory-built structure. Such fees shall be equal to the amount charged for similar inspections on conventionally built housing.

History.—s. 4, ch. 71-172; s. 1, ch. 74-208; s. 3, ch. 76-168; s. 1, ch. 77-457; s. 3, ch. 78-323; ss. 1, 6, ch. 79-152; ss. 2, 4, ch. 80-86; ss. 2, 3, ch. 81-318; ss. 3, 4, ch. 84-32; s. 4, ch. 91-429; s. 60, ch. 2000-141; s. 34, ch. 2001-186; s. 3, ch. 2001-372.

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553.381 **Manufacturer certification.—**

(1) Before manufacturing buildings to be located within this state or selling manufactured buildings within this state, whichever occurs later, a manufacturer must be certified by the department. The department shall certify a manufacturer upon receipt from the manufacturer and approval and verification by the department of the following:

- (a) The manufacturer's internal quality control procedures and manuals, including any amendments;
- (b) Evidence that the manufacturer has product liability insurance for the safety and welfare of the public in amounts determined by rule of the department; and
- (c) The fee established by the department under s. [553.37\(8\)](#).

(2) The department may revoke any certification upon the failure of the manufacturer to comply with the Florida Building Code or other requirements of this part.

(3) Certification of manufacturers under this section shall be for a period of 3 years, subject to renewal by the manufacturer. Upon application for renewal, the manufacturer must submit the information described in subsection (1) or a sworn statement that there has been no change in the status or content of that information since the manufacturer's last submittal. Fees for renewal of manufacturers' certification shall be established by the department by rule.

History.—ss. 2, 4, ch. 84-32; s. 4, ch. 91-429; s. 802, ch. 97-103; ss. 61, 62, ch. 2000-141; s. 30, ch. 2001-63; s. 34, ch. 2001-186; s. 3, ch. 2001-372; s. 7, ch. 2008-191.

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553.382 Placement of certain housing.—Notwithstanding any other law or ordinance to the contrary, in order to expand the availability of affordable housing in this state, any residential manufactured building that is certified under this chapter by the department may be placed on a mobile home lot in a mobile home park, recreational vehicle park, or mobile home condominium, cooperative, or subdivision. Any such housing unit placed on a mobile home lot is a mobile home for purposes of chapter 723 and, therefore, all rights, obligations, and duties under chapter 723 apply, including the specifics of the prospectus. However, a housing unit subject to this section may not be placed on a mobile home lot without the prior written approval of the park owner. Each housing unit subject to this section shall be taxed as a mobile home under s. [320.08\(11\)](#) and is subject to payments to the Florida Mobile Home Relocation Fund under s. [723.06116](#).

History.—s. 7, ch. 2007-227; s. 411, ch. 2011-142.

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553.39 Injunctive relief.—The department may seek injunctive or other relief from the circuit court of appropriate jurisdiction to compel compliance with the requirements of this part or with the Florida Building Code or to enjoin the sale, delivery, or installation of a manufactured building, upon an affidavit specifying the manner in which the building does not conform to the Florida Building Code or other requirements of this part. Noncompliance with the Florida Building Code or this part shall be considered prima facie evidence of irreparable damage in any cause of action brought under the authority of this part.

History.—s. 6, ch. 71-172; s. 1, ch. 74-208; s. 3, ch. 76-168; s. 1, ch. 77-457; ss. 1, 6, ch. 79-152; ss. 3, 4, ch. 80-86; ss. 2, 3, ch. 81-318; ss. 3, 4, ch. 84-32; s. 4, ch. 91-429; s. 63, ch. 2000-141.

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553.41 Penalties.—Any person who violates any of the provisions of this part is guilty of a misdemeanor of the second degree, punishable as provided in s. [775.082](#) or s. [775.083](#).

History.—s. 5A, ch. 71-172; s. 1, ch. 74-208; s. 3, ch. 76-168; s. 1, ch. 77-457; ss. 1, 6, ch. 79-152; ss. 2, 3, ch. 81-318; ss. 3, 4, ch. 84-32; s. 146, ch. 91-224; s. 4, ch. 91-429.

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553.415 Factory-built school buildings.—

(1) It is the purpose of this section to provide an alternative procedure for the construction and installation of factory-built school buildings designed or intended for use as school buildings. As used in this section, the term “factory-built school building” means any building designed or intended for use as a school building, which is in whole or in part, manufactured at an offsite facility in compliance with the State Uniform Code for Public Educational Facilities and Department of Education rule, effective on January 5, 2000. After March 1, 2002, the Uniform Code for Public Educational Facilities shall be incorporated into the Florida Building Code, including specific requirements for Public Educational Facilities and the Department of Education rule, effective on January 5, 2000. For the purpose of this section, factory-built school buildings include prefabricated educational facilities, factory-built educational facilities, and modular-built educational facilities, that are designed to be portable, relocatable, demountable, or reconstructible; are used primarily as classrooms or the components of an entire school; and do not fall under the provisions of ss. [320.822-320.862](#).

(2) A manufacturer of factory-built school buildings shall be subject to the certification and enforcement requirements in this part except as provided in this section.

(3) Within 90 days after the effective date of this section, the department shall adopt by emergency rule regulations to carry out the provisions of this section. Such rule shall ensure the safety of design, construction, accessibility, alterations, and inspections and shall also prescribe procedures for the plans, specifications, and methods of construction to be submitted to the department for approval.

(4) A manufacturer of factory-built school buildings designed or intended for use as school buildings shall submit to the department for approval the manufacturer’s plans, specifications, alterations, and methods of construction. The department is authorized to charge manufacturers a fee which reflects the actual expenses incurred for the review of such plans and specifications.

(5) The department, in accordance with the standards and procedures adopted pursuant to this section and as such standards and procedures may thereafter be modified, shall approve or reject such plans, specifications, and methods of construction. Approval shall not be given unless such plans, specifications, and methods of construction are in compliance with the State Uniform Building Code for Public Educational Facilities and department rule. After March 1, 2002, the Uniform Code for Public Educational Facilities shall be incorporated into the Florida Building Code, including specific requirements for public educational facilities and department rule.

(6) The department may delegate its plans review authority to a state agency or public or private entity; however, the department shall ensure that any person conducting plans reviews is a certified plans examiner, pursuant to part XII of chapter 468.

(7) A standard plan approval may be obtained from the department for factory-built school buildings and such department-approved plans shall be accepted by the enforcement agency as approved for the purpose of obtaining a construction permit for the structure itself. The department, or its designated representative, shall determine if the plans qualify for purposes of a factory-built school shelter, as defined in s. [553.36](#).

(8) Any amendment to the State Uniform Code for Public Educational Facilities, and after March 1, 2002, the Florida Building Code, shall become effective 180 days after the amendment is filed with the Secretary of State.

Notwithstanding the 180-day delayed effective date, the manufacturer shall submit and obtain a revised approved plan within the 180 days. A revised plan submitted pursuant to this subsection shall be processed as a renewal or revision with appropriate fees. A plan submitted after the period of time provided shall be processed as a new application with appropriate fees.

(9) The school district or community college district for which any factory-built school building is constructed or altered after July 1, 2001, shall provide for periodic inspection of the proposed factory-built school building during each phase of construction or alteration. The inspector shall act under the direction of the governing board for employment purposes. This subsection does not prevent a school district or community college district from purchasing or otherwise using a factory-built school building that has been inspected during all phases of construction or alteration conducted after July 1, 2001, by another school district or community college or by an approved inspection agency certified pursuant to s. 553.36(2). If a factory-built school building is constructed or altered for an entity other than a school district or community college district, such entity may employ at its election a school district, community college district, or such approved inspection agency to conduct such inspections. A school district or community college district so employed may charge such entity for services at reasonable rates comparable to those charged for similar services by approved inspection agencies.

(10) The department shall, by rule, develop forms and reporting periods for the architect or structural engineer in charge of the supervision of the work of construction in the factory, the inspector on the work, and the manufacturer verifying that based upon personal knowledge, the work during the period covered by the report has been performed, and the materials used and installed, in every particular, in accordance with the approved plans and specifications, setting forth such detailed statements of facts as required by the department.

(11) The department shall require that an insignia bearing the department's name and state seal and a manufacturer's data plate be affixed to all newly constructed factory-built school buildings and existing factory-built school buildings which have been brought into compliance with the standards for existing "satisfactory" buildings pursuant to chapter 5 of the Uniform Code for Public Educational Facilities, and after March 1, 2002, the Florida Building Code. The department may charge a fee for issuing such insignias. The manufacturer's data plate shall, at a minimum, contain:

- (a) The name of the manufacturer.
- (b) The standard plan approval number or alteration number.
- (c) The date of manufacture or alteration.
- (d) The serial or other identification number.
- (e) The following designed-for loads: lbs. per square foot live load; lbs. per square foot floor live load; lbs. per square foot horizontal wind load; and lbs. per square foot wind uplift load.
- (f) The designed-for flood zone usage.
- (g) The designed-for wind zone usage.
- (h) The designed-for enhanced hurricane protection zone usage: yes or no.

(12) Such insignia and data plate shall be permanently affixed by the manufacturer in the case of newly constructed factory-built school buildings, or by the department or its designee in the case of an existing factory-built building altered to comply with provisions of s. 1013.20.

(13) As of July 1, 2001, all newly constructed factory-built school buildings shall bear a label pursuant to subsection (12). As of July 1, 2002, existing factory-built school buildings and manufactured buildings used as classrooms and not bearing such label shall not be used as classrooms pursuant to s. 1013.20.

(14) Nothing in this section shall affect any requirement for compliance with firesafety criteria.

History.—s. 64, ch. 2000-141; s. 22, ch. 2001-186; s. 1, ch. 2001-372; s. 1028, ch. 2002-387; s. 8, ch. 2008-191.

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553.42 **Legislative intent.**—Nothing herein shall act to nullify or supersede the provisions of chapter 527 relating to sale, use, or storage of liquefied petroleum gas, except that inspections made pursuant to chapter 527 shall be made at the place of manufacture.

History.—s. 7, ch. 71-172; s. 1, ch. 74-208; s. 3, ch. 76-168; s. 1, ch. 77-457; ss. 1, 6, ch. 79-152; ss. 2, 3, ch. 81-318; ss. 3, 4, ch. 84-32; s. 4, ch. 91-429.