

ORDINANCE 2022-02

AN ORDINANCE OF THE CITY OF MADEIRA BEACH, FLORIDA, AMENDING CHAPTER 94 FLOODPLAIN MANAGEMENT, OF CODE OF ORDINANCES OF THE CITY OF MADEIRA BEACH TO AMEND SECTION 94-93 TO ADD A DEFINITIONS FOR MANUFACTURED HOME AND RECREATIONAL VEHICLE; TO AMEND SECTION 94-103 TO PROVIDE FOR ZONING LIMITATIONS ON INSTALLATION OF MANUFACTURED HOMES AND OCCUPIED RECREATIONAL VEHICLES; PROVIDING FOR APPLICABILITY; PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Legislature of the State of Florida has, in Chapter 166 – Municipalities, Florida Statutes, conferred upon local governments the authority to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry; and

WHEREAS, the City of Madeira Beach participates in the National Flood Insurance Program and participates in the NFIP’s Community Rating System, a voluntary incentive program that recognizes and encourages community floodplain management activities that exceed the minimum program requirements; and

WHEREAS, the City of Madeira Beach, Chapter 110 Zoning, does not include manufactured homes as permitted uses in the City of Madeira Beach.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF MADEIRA BEACH, FLORIDA:

SECTION 1. That Section 94-93 of Chapter 94 (Floodplain Management) of the Code of Ordinances of the City of Madeira Beach is hereby amended to add the following definitions:

* * *

Manufactured home. A structure, transportable in one or more sections, which is eight (8) feet or more in width and greater than four hundred (400) square feet, and which is built on a permanent, integral chassis and is designed for use with or without a permanent foundation when attached to the required utilities. The term "manufactured home" does not include a "recreational vehicle" or "park trailer." [Also defined in 15C-1.0101, F.A.C.]

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Recreational vehicle. A vehicle, including a park trailer, which is: [See section 320.01, F.S.)

- (1) Built on a single chassis;
- (2) Four hundred (400) square feet or less when measured at the largest horizontal projection;
- (3) Designed to be self-propelled or permanently towable by a light-duty truck; and
- (4) Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

SECTION 2.

That Section 94-103 of Chapter 94 (Floodplain Management) of the Code of Ordinances of the City of Madeira Beach, is hereby created to read as follows:

Sec. 94-103 Manufactured homes and recreational vehicles.

In accordance with the Chapter 110, Zoning, permitted uses and special exceptions do not include manufactured homes or occupied recreational vehicles.

SECTION 3.

For the purposes of jurisdictional applicability, this ordinance shall apply in the City of Madeira Beach, Florida. This ordinance shall apply to all applications for development, including building permit applications and subdivision proposals, submitted on or after the effective date of this ordinance.

SECTION 4.

It is the intent of the Board of Commissioners of the City of Madeira Beach that the provisions of this ordinance shall become and be made a part of the Code of Ordinances of the City of Madeira Beach, and that the sections of this ordinance may be renumbered or relettered and the word “ordinance” may be changed to “section,” “article,” “regulation,” or such other appropriate word or phrase in order to accomplish such intentions.

SECTION 5.

If any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the ordinance as a whole, or any part thereof, other than the part so declared.

SECTION 6.

This Ordinance shall take effect immediately upon adoption in the manner provided by law.

INTRODUCED AND ADOPTED BY THE BOARD OF COMMISSIONERS OF THE CITY OF MADEIRA BEACH,

THIS _____ day of _____, 2022.

JOHN B. HENDRICKS, Mayor

ATTEST:

CLARA VANBLARGAN, MMC, MSM, City Clerk

PASSED ON FIRST
READING: _____

PUBLISHED: _____

PASSED ON SECOND
READING: _____

APPROVED AS TO FORM:

THOMAS J. TRASK, City Attorney