




Date: 12/05/2023		AGENDA ITEM		Item: 10	
<input checked="" type="checkbox"/> Ordinance		<input type="checkbox"/> Resolution		<input type="checkbox"/> Budget Resolution	
<input type="checkbox"/> Other					
County Goals					
<input type="checkbox"/>	Thriving Communities	<input type="checkbox"/>	Economic & Financial Vitality	<input checked="" type="checkbox"/>	Excellence in Government
<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>	NA
Department: Growth And Resource Management					
Division: Administration Services					
Subject: Ordinance 2023-46. An ordinance amending section 22-706 of Chapter 22, Volusia County Code of Ordinances, by requiring properties that abut the Atlantic Ocean to have the property address displayed so it is visible to public on the beach.					
Clay Ervin Director Growth and Resource Management  Department Approval				Legal Paolo Soria Senior Assistant County Attorney  Approved as to Form and Legality	
Division Approval				County Manager's Office Ryan Ossowski Chief Financial Officer 	
Council Action:					
Modification:					
Account Number(s): NA					
Total Item Budget: NA					
Staff Contact(s): Clay Ervin				Phone: 386 822 5013	Ext. 1200
Summary/Highlights: The County Council unanimously directed staff to develop an ordinance requiring addressing of properties that abut the Atlantic Ocean at the May 2, 2023, meeting. Council member Reinhart identified a concern that tourists and other visitors to our beach would not be able to communicate their location to emergency responders while on our beach. The goal is to have the addresses of the beachfront homes, businesses and condominiums visible to beachgoers so that they can convey their location to emergency responders. The proposed ordinance is applicable only to unincorporated properties under Volusia County's jurisdiction. The County staff contacted the staff from the cities of Ormond Beach, Daytona Beach, Daytona Beach Shores, Ponce Inlet and New Smyrna Beach so they were aware of this effort and to see if this is a policy they wish to implement in their jurisdiction. There was interest by the staff from the coastal cities to implement similar requirements in their jurisdiction. County staff believes that several of these coastal cities will have similar standards implemented within their jurisdiction.					

Pursuant to F.S. Section 125.66(3), the county staff prepared a business impact estimate regarding the cost of compliance, any revenue to the county and how many businesses are impacted by the proposed change. The County staff made a conservative estimate of \$150 per building for the cost of the material and installation of the address on the rear of the properties. However, compliance with this section may be achieved through a painted stencil on a seawall or structure. A review of the area reflected that there are approximately 71 properties in the unincorporated areas along coast of the Atlantic Ocean that are condos, hotels or other non-residential uses. There is no revenue projected since the county will not be requiring any fees for the installation of the addresses on the properties.

The compliance date will be within 120 days of the effective date of the ordinance. The county will be implementing a public information campaign to notify property owners of the new requirements for posting of the address on the rear of the property. Code enforcement will be following-up after the 120-days and will focus on education and dissemination of information prior to taking any formal proceedings to the Code Enforcement Board.

This ordinance was advertised on November 22, 2023. The Business Impact Estimate for this ordinance was posted on the County website on November 14, 2023.

Recommended Motion: Approve

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ORDINANCE 2023-46

AN ORDINANCE OF THE COUNTY COUNCIL OF VOLUSIA COUNTY, FLORIDA, AMENDING THE CODE OF ORDINANCES OF THE COUNTY OF VOLUSIA RELATED TO POSTING OF ADDRESS NUMBERS FOR PROPERTIES ADJACENT TO THE ATLANTIC OCEAN; AMENDING SECTION 22-706 OF CHAPTER 22; REQUIRING THE POSTING OF ADDRESS NUMBERS VISIBLE FROM THE ADJACENT OCEAN; PROVIDING FOR A GRACE PERIOD; PROVIDING FOR ENFORCEMENT; PROVIDING FOR CRITERIA; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTING ORDINANCES; AUTHORIZING INCLUSION IN CODE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Volusia County Council received reports of potential delays of reaching persons in need of emergency assistance on the beach due to tourists and visitors to the Volusia County beaches being unable to guide first responders to locations of emergency situations occurring on the beach; and

WHEREAS, the Volusia County Council determines that it is in the best interest of the public health, safety, and welfare of the County to require addresses on the rear of properties or buildings adjacent to the Atlantic Ocean assists with emergency response to activities on the beach.

BE IT ORDAINED BY THE COUNTY COUNCIL OF VOLUSIA COUNTY, FLORIDA, AS FOLLOWS:

(Words in ~~strike-through~~ type are deletions; words in underscore type are additions.)

SECTION I: The above recitals are hereby incorporated into this ordinance as legislative findings of fact and intent.

SECTION II: Section 22-706 of Chapter 22 of the Code of Ordinances of the County of Volusia is hereby amended as follows:

Sec. 22-706. Posting of numbers.

All buildings in the unincorporated areas of the county shall have their assigned building numbers properly displayed, whether or not mail is delivered to such buildings or property. It

shall be the duty of the owners and occupants of each building in the unincorporated areas to post the assigned building number on the property in the following manner:

- (1) The building (address) number shall be affixed to the front of the building, or to a separate structure in front of the building (such as a mailbox, post, wall, fence, etc.), in such a manner so as to be clearly visible and legible from the public or private way on which the building fronts. This requirement shall also apply to the rear of the building for properties adjacent to the Atlantic Ocean so that the address is visible from the beach. The addressing for all properties fronting the Atlantic Ocean shall be in place within 120 days of the effective date of the amending ordinance. Enforcement shall be in accordance with Section 1-7. General penalty; continuing violations.
- (2) Numerals shall be Arabic and shall not be less than three inches in height and one-half inch in width. Properties located along the coast of the Atlantic Ocean shall be posted with Arabic numbers and letters a minimum of twelve inches in height.
- (3) The numerals shall be of a contrasting color with the immediate background of the building or structure on which such numerals are affixed.

SECTION III: SEVERABILITY - Should any word, phrase, sentence, subsection or section be held by a court of competent jurisdiction to be illegal, void, unenforceable, or unconstitutional, then that word, phrase, sentence, subsection or section so held shall be severed from this ordinance and all other words, phrases, sentences, subsections, or sections shall remain in full force and effect.

SECTION IV: CONFLICTING ORDINANCES - All ordinances, or part thereof, in conflict herewith are, to the extent of such conflict, repealed.

SECTION V: AUTHORIZING INCLUSION IN CODE. The provisions of this ordinance shall be included and incorporated into the Code of Ordinances of the County of Volusia, as additions or amendments thereto, and shall be appropriately renumbered to conform to the uniform numbering system of the Code.

SECTION VI: EFFECTIVE DATE. This ordinance shall take effect upon electronic filing of a certified copy with the Department of State.

ADOPTED BY THE COUNTY COUNCIL OF VOLUSIA COUNTY, FLORIDA, IN OPEN MEETING DULY ASSEMBLED IN THE COUNTY COUNCIL CHAMBERS AT THE THOMAS

1 C. KELLY ADMINISTRATION CENTER, 123 WEST INDIANA AVENUE, DELAND, FLORIDA,
2 THIS 5th DAY OF DECEMBER A.D., 2023.
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6 ATTEST:
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COUNTY COUNCIL
VOLUSIA COUNTY, FLORIDA

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11 _____
12 George Recktenwald
County Manager

Jeffrey S. Brower
County Chair



Business Impact Estimate

This form should be included in the agenda packet for the item under which the proposed ordinance is to be considered and must be posted on the County's website by the time notice of the proposed ordinance is published.

Proposed ordinance's Ordinance Number and Short Title:

ORDINANCE 2023-46

AN ORDINANCE OF THE COUNTY COUNCIL OF VOLUSIA COUNTY, FLORIDA, AMENDING THE CODE OF ORDINANCES OF THE COUNTY OF VOLUSIA RELATED TO POSTING OF ADDRESS NUMBERS FOR PROPERTIES ADJACENT TO THE ATLANTIC OCEAN; AMENDING SECTION 22-706 OF CHAPTER 22; REQUIRING THE POSTING OF ADDRESS NUMBERS VISIBLE FROM THE ADJACENT OCEAN; PROVIDING FOR A GRACE PERIOD; PROVIDING FOR ENFORCEMENT; PROVIDING FOR CRITERIA; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTING ORDINANCES; AUTHORIZING INCLUSION IN CODE; AND PROVIDING AN EFFECTIVE DATE.

This Business Impact Estimate is provided in accordance with section 125.66(3), Florida Statutes. If one or more boxes are checked below, this means the County is of the view that a business impact estimate is not required by state law¹ for the proposed ordinance, but the County is, nevertheless, providing this Business Impact Estimate as a courtesy and to avoid any procedural issues that could impact the enactment of the proposed ordinance. This Business Impact Estimate may be revised following its initial posting.

- ☐ The proposed ordinance is required for compliance with Federal or State law or regulation;
- ☐ The proposed ordinance relates to the issuance or refinancing of debt;
- ☐ The proposed ordinance relates to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget;
- ☐ The proposed ordinance is required to implement a contract or an agreement, including, but not limited to, any Federal, State, local, or private grant or other financial assistance accepted by the county government;

¹ See Section 125.66(3)(c), Florida Statutes.

- ☐ The proposed ordinance is an emergency ordinance;
- ☐ The ordinance relates to procurement; or
- ☐ The proposed ordinance is enacted to implement the following:
 - a. Part II of Chapter 163, Florida Statutes, relating to growth policy, county and municipal planning, and land development regulation, including zoning, development orders, development agreements and development permits;
 - b. Sections 190.005 and 190.046, Florida Statutes, regarding community development districts;
 - c. Section 553.73, Florida Statutes, relating to the Florida Building Code; or
 - d. Section 633.202, Florida Statutes, relating to the Florida Fire Prevention Code.

In accordance with the provisions of controlling law, even notwithstanding the fact that an exemption noted above may apply, the County hereby publishes the following information:

1. Summary of the proposed ordinance (must include a statement of the public purpose, such as serving the public health, safety, morals and welfare):

The Volusia County Council received reports of potential delays of reaching persons in need of emergency assistance on the beach due to tourists and visitors to the Volusia County beaches being unable to guide first responders to locations of emergency situations. Therefore, the Volusia County Council determines that it is in the best interest of the public health, safety, and welfare of the County to require addresses on the rear of properties or buildings adjacent to the Atlantic Ocean to assist with emergency response to activities on the beach.

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

(a) An estimate of direct compliance costs that businesses may reasonably incur;
 Estimate of \$150 for the purchase of the material and labor to install the required addresses on the rear of buildings with oceanfront access.

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

The County will not be charging a fee.

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

There are not any revenues since there will not be any charges or fees.

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

Most the property abutting the ocean in unincorporated Volusia County are single-family residential. There are areas in Ormond by the Sea, Wilbur by the Sea and Silver Sands where there are some hotels and condominiums that account for approximately 71 parcels. This provides a reasonable estimate of the number of "businesses" in the unincorporated areas impacted by the proposed ordinance.

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

[You may wish to include in this section the methodology or data used to prepare the Business Impact Estimate. For example: County staff solicited comments from businesses in the County as to the potential impact of the proposed ordinance by contacting the chamber of commerce, social media posting, direct mail or direct email, posting on County website, public workshop, etc. You may also wish to include efforts made to reduce the potential fiscal impact on businesses. You may also wish to state here that the proposed ordinance is a generally applicable ordinance that applies to all persons similarly situated (individuals as well as businesses) and, therefore, the proposed ordinance does not affect only businesses].

The recent storms (Ian and Nicole) provided a real-world situation where accuracy in reporting of emergency situations to responders was paramount. It is the goal to of this ordinance to minimize potential confusion on the location of emergencies occurring in front of these oceanfront properties.