



NEW BUSINESS

ITEM # 2

***FIRST READING OF ORDINANCE
2026-16, AN ORDINANCE OF THE CITY OF
BUSHNELL, FLORIDA AMENDING THE CITY OF
BUSHNELL'S LAND DEVELOPMENT CODE,
CHAPTER 56 – FLOOD DAMAGE
PREVENTION, CHAPTER 1 - ADMINISTRATION,
SECTIONS 102, 103, AND CHAPTER
3 – FLOOD RESISTANT DEVELOPMENT, SECTION
304; PROVIDING FOR COMPLIANCE WITH THE
CURRENT FEMA-APPROVED,
CODE-COMPANION FLOODPLAIN
MANAGEMENT ORDINANCE FOR FLORIDA
COMMUNITIES; PROVIDING FOR
LEGISLATIVE FINDINGS AND INTENT;
PROVIDING FOR CODIFICATION AND
SCRIVENER'S ERRORS; PROVIDING FOR
IMPLEMENTING ADMINISTRATIVE ACTIONS;
PROVIDING FOR CONFLICTS AND REPEALER
AND SEVERABILITY; AND PROVIDING
DATE.***



**CITY OF BUSHNELL
BUSINESS IMPACT ESTIMATE
ORDINANCE 2026-16**

TO: Honorable City Council
FROM: Morgan Wilson, Assistant City Manager
DATE: April 6, 2026
SUBJECT: Ordinance 2026-16 - Business Impact Estimate

Section 166.041, Florida Statutes, effective October 1, 2023, requires the City to prepare (or cause to be prepared) a business impact estimate prior to final consideration of an ordinance, subject to exemptions noted in the Law. The new law requires that the business impact estimate be posted on the City's website at the time of the published notice of the City Council's final consideration of the ordinance, or ten (10) days prior to the adoption public hearing, whichever is longer. Ordinance No. 2026-16 is proposed to be adopted by the City at the May 2026 Council meeting and is subject to this new requirement. Following are the categories required to be addressed for the proposed ordinance based on the new legislation:

1. Summary of Proposed Ordinance 2026-16:

Ordinance 2026-16 amends the City's Land Development Code, Chapter 56 (Floodplain Management), to:

- Update references to the current FEMA Flood Insurance Study and Flood Insurance Rate Maps (FIRM)
- Designate the Sumter County Floodplain Administrator as the City's Floodplain Administrator
- Revise elevation requirements for manufactured homes to align with the Florida Building Code and FEMA standards
- Ensure compliance with the National Flood Insurance Program (NFIP) and FEMA Community Rating System (CRS)

The ordinance applies to all new development applications submitted after its effective date.

2. Estimate of the direct economic impact of the proposed ordinance on private, for-profit businesses in the City

a. Estimate of direct compliance costs that businesses may reasonably incur if the ordinance is enacted.

The ordinance is not expected to impose significant new regulatory burdens beyond existing state and federal requirements. However, minor cost impacts may include engineering and design adjustments to meet updated elevation standards for manufactured homes, and potential increased construction costs for elevation compliance (e.g., piers, fill, or structural elevation). These costs are largely pre-existing under FEMA and Florida Building Code requirements, and this ordinance primarily formalizes alignment.

b. Identification of any new charge or fee on businesses subject to the proposed ordinance or for which businesses will be financially responsible.

The ordinance does not create any new fees, charges, or assessments, and utilizes existing permitting and inspection processes.

c. An estimate of the City's regulatory costs, including an estimate of revenues from any new charges or fees that will be imposed on businesses to cover such costs.

The proposed ordinance does not add enforcement requirements for City staff beyond that which are in the existing code, therefore there are no additional regulatory costs.

3. A good faith estimate of the number of businesses likely to be impacted by the ordinance.

Businesses potentially affected include residential and commercial developers, manufactured home installers and dealers, general contractors and builders, and engineering and surveying firms. The number of affected businesses is expected to be limited and situational, primarily those engaging in development within designated flood hazard areas.

4. Any additional information the board determines may be useful.

This ordinance is largely administrative and compliance-driven, aligning the City of Bushnell's regulations with existing FEMA and Florida Building Code requirements.

ORDINANCE 2026-16

AN ORDINANCE OF THE CITY OF BUSHNELL, FLORIDA AMENDING THE CITY OF BUSHNELL'S LAND DEVELOPMENT CODE, CHAPTER 56 – FLOOD DAMAGE PREVENTION, CHAPTER 1 - ADMINISTRATION, SECTIONS 102, 103, and CHAPTER 3 – FLOOD RESISTANT DEVELOPMENT, SECTION 304; PROVIDING FOR COMPLIANCE WITH THE CURRENT FEMA-APPROVED, CODE-COMPANION FLOODPLAIN MANAGEMENT ORDINANCE FOR FLORIDA COMMUNITIES; PROVIDING FOR LEGISLATIVE FINDINGS AND INTENT; PROVIDING FOR CODIFICATION AND SCRIVENER'S ERRORS; PROVIDING FOR IMPLEMENTING ADMINISTRATIVE ACTIONS; PROVIDING FOR CONFLICTS AND REPEALER AND SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Bushnell ("City") has complied with all requirements and procedures of Florida law in processing this Ordinance; and

WHEREAS, the City Council of the City of Bushnell ("City Council") has the power and authority to enact this Ordinance under the controlling provisions of State law such as, by way of example only, the provisions of Article VIII, Section 2 of the *Constitution of the State of Florida* and the provisions of Chapter 163, *Florida Statutes*, and Chapter 166, *Florida Statutes*, and other controlling law of the State of Florida; and

WHEREAS, the City enjoys all governmental, corporate and proprietary powers necessary to enact ordinances in order to protect the health, safety and welfare of the City's citizens and residents; and

WHEREAS, the City of Bushnell Land Development Code is a comprehensive compilation of local laws and regulations that are enforced by the City of Bushnell, and which outlines the rules and regulations that govern development within the City of Bushnell; and

WHEREAS, the City Council hereby finds that this Ordinance is in the best interest of the public, health, safety, and welfare of the citizens and residents of the City; and

WHEREAS, the City Council is enacting this Ordinance in order to protect and promote the public health, safety and welfare of the citizens of the City; and

WHEREAS, the City Council has determined that the City's Land Development Code, specifically Chapter 56 - Floodplain Management, must be amended to adhere to the State of Florida's Floodplain Management requirements, including those requirements for the Federal Emergency Management Agency's (FEMA) Community Rating System Program that recognizes community floodplain management practices that exceed the minimum requirements of the National Flood Insurance Program (NFIP).

NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF BUSHNELL, FLORIDA AS FOLLOWS:

SECTION 1. LEGISLATIVE FINDINGS AND INTENT; PURPOSE.

The foregoing recitals (whereas clauses) are hereby ratified and confirmed as being true and correct and are hereby made a part of this Ordinance and incorporated herein, *in haec verba*.

The purpose of this Ordinance is to amend certain provisions of the City of Bushnell Land Development Code regarding Floodplain Management so that the City's Land Development Code adheres to the State of Florida's Floodplain Management requirements, including those requirements for the FEMA's Community Rating System.

The City has complied with all requirements and procedures of Florida law in processing and advertising this Ordinance.

SECTION 2. AUTHORITY.

Pursuant to Article VIII, Section I of the Florida Constitution and Florida Statutes §166.021, the City of Bushnell City Council has all powers of local self-government to perform city functions and render city services and facilities except when prohibited by law, including the authority to establish and amend its Code of Ordinances, including its Land Development Code.

SECTION 3. AMENDMENT TO CITY OF BUSHNELL LAND DEVELOPMENT CODE CHAPTER 56 - FLOODPLAIN MANAGEMENT CHAPTER 1 - ADMINISTRATION, SECTION 102 - APPLICABILITY, SECTION 103 – DUTIES AND POWERS OF THE FLOODPLAIN ADMINISTRATOR, AND CHAPTER 3 - FLOOD RESISTANT DEVELOPMENT, SECTION 304 - MANUFACTURED HOMES.

The City Council of the City of Bushnell hereby amends the City of Bushnell Land Development Code, specifically amending as follows: words with underlined type shall constitute additions to the original text; strikethrough shall constitute deletions to the original text as follows:

CHAPTER 56, Section 102. Applicability.

(102.3) Basis for establishing flood hazard areas. The Flood Insurance Study for Sumter County, Florida and Incorporated Areas dated June 5, 2020 ~~September 27, 2013,~~ and all subsequent amendments and revisions ~~to such maps are adopted by reference as a part of this ordinance and shall serve as the minimum basis, and the~~ accompanying flood insurance rate maps (FIRM), and all subsequent amendments and revisions to such maps, are adopted by reference as a part of this article and shall serve as the minimum basis for establishing flood hazard areas. Studies and maps that establish flood hazard areas are on file at the Sumter County Planning and Floodplain Division.

(CRS Update)

CHAPTER 56, Section 103. Duties and powers of the Floodplain Administrator.

- (103.1) ~~The Building and Zoning Department~~ The Sumter County Floodplain Administrator is designated as the Floodplain Administrator. The Floodplain Administrator may delegate performance of certain duties to other employees.

CHAPTER 56, Section 304. Manufactured homes.

- (3.4.4) Elevation. Manufactured homes that are placed, replaced, or substantially improved shall ~~comply with Section 304.4.1 or 304.4.2 of this ordinance, as applicable.~~ be elevated such that the bottom of the frame is at or above the elevation required in the Florida Building Code, Flood-Resistant Construction Section R322.2 (Zone A).
- ~~(304.4.1) General elevation requirement. Unless subject to the requirements of Section 304.4.2 of this ordinance, all manufactured homes that are placed, replaced, or substantially improved on sites located: (a) outside of a manufactured home park or subdivision; (b) in a new manufactured home park or subdivision; (c) in an expansion to an existing manufactured home park or subdivision; or (d) in an existing manufactured home park or subdivision upon which a manufactured home has incurred "substantial damage" as the result of a flood, shall be elevated such that the bottom of the frame is at or above the elevation required, as applicable to the flood hazard area, in the Florida Building Code, Residential Section R322.2 (Zone A) or Section R322.3 (Zone V).~~
- ~~(304.4.2) Elevation requirement for certain existing manufactured home parks and subdivisions. Manufactured homes that are not subject to Section 304.4.1 of this ordinance, including manufactured homes that are placed, replaced, or substantially improved on sites located in an existing manufactured home park or subdivision, unless on a site where substantial damage as result of flooding has occurred, shall be elevated such that either the:~~
- ~~1. Bottom of the frame of the manufactured home is at or above the elevation required, as applicable to the flood hazard area, in the Florida Building Code, Residential Section R322.2 (Zone A); or~~
 - ~~2. Bottom of the frame is supported by reinforced piers or other foundation elements of at least equivalent strength that are not less than 36 inches in height above grade.~~

SECTION 4. APPLICABILITY.

For the purposes of jurisdictional applicability, this ordinance shall apply in all areas within the City of Bushnell. 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 5. CODIFICATION; SCRIVENER'S ERRORS.

It is the intention of the City Council, and it is hereby ordained, that the provisions of this Ordinance shall be reflected and made a part of the City of Bushnell Code of Ordinances and the word "Ordinance," or similar words may be changed to "section," "article," "chapter," or other appropriate word or phrase and the sections of this Ordinance may be renumbered or re-lettered to accomplish such intention. The Code codifier is granted liberal authority to make such changes and to rescind those sections of the Code declared null and void as set forth herein.

Section 3 of this Ordinance shall be codified, and all other sections shall not be codified.

Typographical errors and other matters of a similar nature that do not affect the intent of this Ordinance, as determined by the City Clerk and City Attorney, may be corrected with the endorsement of the Mayor, or designee, without the need for a public hearing.

SECTION 6. IMPLEMENTING ADMINISTRATIVE ACTIONS.

The Mayor is hereby authorized and directed to take such actions as he or she may deem necessary and appropriate to implement the provisions of this Ordinance. The Mayor may, as deemed appropriate, necessary, and convenient, delegate the powers of implementation as herein set forth to such City employees as deemed effectual and prudent.

SECTION 7. CONFLICTS AND REPEALER.

This Ordinance shall be cumulative of all provisions of the Ordinances of the City, except where the provisions of this Ordinance are in direct conflict with the provisions of another Ordinance, in which event all Ordinances or parts thereof in conflict with this Ordinance are hereby repealed to the extent of such conflict.

SECTION 8. SEVERABILITY.

If any section, sentence, phrase, word, or portion of this Ordinance proves to be invalid, unlawful, or unconstitutional, it shall not be held to impair the validity or effect of any other action or part of this Ordinance.

THE PROPOSED Ordinance was read at the regularly scheduled meeting of the Bushnell City Council held on _____, 2026. Upon motion made by _____, and seconded by _____, it was moved that the Ordinance be published in a newspaper of general circulation in the City of Bushnell, Sumter County, Florida, in accordance with the requirements of Florida Statutes, and that the Ordinance again be presented to the City Council for a second reading and a public hearing at a regular or special meeting of the City Council, such meeting to be held not sooner than ten (10) days from the date of publication. Upon the matter being submitted to a vote, the results were as follows:

Mayor/Councilman Jessie Simmons Jr. _____

Vice-Mayor/Councilman Dale Barnes _____

Councilwoman Karen Davis _____

Councilwoman Victoria Summerlin _____

Councilman Jordan Dietz _____

THE ORDINANCE having been passed on the first reading, it was moved by _____ that the ordinance be passed and ordained on second reading pursuant to notice of public hearing published on ____ and ____ days of _____, 2026, in the Sumter Sun Times. This Motion was seconded by _____ and upon being submitted to a vote, the results were as follows:

Mayor/Councilman Jessie Simmons Jr. _____

Vice-Mayor/Councilman Dale Barnes _____

Councilwoman Karen Davis _____

Councilwoman Victoria Summerlin _____

Councilman Jordan Dietz _____

Approved by me this ____ day of _____, 2026.

HONORABLE JESSIE SIMMONS JR.
Mayor – Councilman

ATTEST:

Christina Dixon – City Clerk